

**CITY OF INGLESIDE  
MINUTES  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 13, 2018**

**1. Call meeting to order**

The meeting was called to order at 6:30 p.m. with Mayor Ronnie Parker presiding. Council Members present: Mayor Ronnie Parker and Council Members Ben Tucker, Kody Fahrenthold, Oscar Adame, and Pete Perkins. Council Members absent: Council Members Dennis Knippa and John Schack. Staff present: City Manager David Huseman, Interim Finance Director Linnette Barker, and City Secretary Kimberly Sampson. There were approximately 20 guests present

**2. Roll Call**

Council Members Dennis Knippa and John Schack were not present at this meeting.

**3. Invocation**

**4. Pledge of Allegiance**

**5. Citizen Comments**

There were no presentations from the public.

**Presentations:**

**6. Introduction of Public Safety Employees to council and citizens.**

Interim Police Chief, Robert Luna provided a brief back ground of each individual and introduced Patrol Officer Chris Ramirez, Patrol Officer Kevin Tschauner, Detective David Zamora, and Captain Paula Belville.

**7. Presentation by San Patricio County Commissioner Precinct 4, Howard Gillespie, of the results of the survey and public meeting regarding Care Regional Medical Center.**

San Patricio County Commissioner Precinct 4, Howard Gillespie provided a handout of the recent Care Regional Medical Center's recovery efforts. Since Hurricane Harvey, the hospital has not reopened and the owner, board of directors, and various groups have been meeting to discuss options for the hospital. There have been multiple meetings throughout the County to receive public input. The owner and board of directors will work with a non-profit organization to rebuild the facility in phases; with the first phase being for Emergency Room, Laboratory, Radiology, Pharmacy, and Physical Therapy. As things progress, Mr. Gillespie will keep each community updated.

**Public Hearings:**

**Mayor Parker opened the floor for the Public Hearings at 6:40 p.m.**

**8. Public Hearings regarding the following re-plats:**

- A) An application filed by Sandi Ridgley to re-plat the following property, Lts 12-A, 12-B, and 12-C Blk 2, GarenOaks Subdivision Unit 2, City of Ingleside, San Patricio County Texas.**

Speaking in favor of the re-plat was Mrs. Sandi Ridgley.

There were no speakers against the re-plat.

- B) An application filed by Steven and Brenda Spiegelhoff to re-plat the following property, Lts 15-R, and 16-R Blk 11, College Height Subdivision, City of Ingleside, San Patricio County Texas.**

There were no speakers for or against re-plat.

- C) An application filed by the City of Ingleside to re-plat the following property, Lot 1 Block 1 Live Oak Park Subdivision, City of Ingleside, San Patricio County Texas.**

Speaking in favor of the re-plat was City of Ingleside Building Official, Carey Dietrich. She explained this is the Staff's request in order to re-plat the property so AEP can place the needed utility lines for the ball fields at Live Oak Park.

There were no speakers against this re-plat.

**9. Public Hearings regarding rezoning the following properties:**

- A) An application filed by Kenneth Markos to rezone the hereinafter described real property from its present classification of R-1 (Single Family Residential) to R-3 (Three and Four Family Residential): Lot 1, Block 1, M&M Subdivision, Ingleside, Texas, also known as 1330 Sunray Road.**

Speaking in favor of the rezoning was Mr. Markos' Business Partner, Mr. Patrick Michalek. He stated they are willing to work with the City regarding any of the septic or other concerns as necessary.

There were no speakers against this rezone.

- B) An application filed by Krastavac Farm, LLC to rezone the hereinafter described real property from its present classification of R-1 (Single Family Residential) to I (Industrial): Abst 184 WM McDonough Sur Trs 1-9 Mircovich est. Ingleside, TX, also known as S Ave B (South End).**

Speaking in favor of this rezone is Mr. Troy Mircovich. He explained they are trying to rezone the property in order to better market it to a potential developer.

There were no speakers against this rezone.

**10. Public Hearings regarding Unsafe Structures and/or nonconforming use to make a determination if the structures listed below meet the minimum standards of adopted codes or shall be demolished and removed from the property.**

- A) Property #1: Owners: Ernesto J. Gonzales, III & Celynn Gonzales  
Lots 11 & 12, Block 25, R J Williams Subdivision,  
Otherwise known as 2494 Main Street**

Code Enforcement Officer, Karisma Luke provided an overview of the dates of mail, certified mail, and publications. There were no other speakers for or against this property.

- B) Property #2 Owner: Juan G. Martinez  
Lots 11, 12 & N 17' of Lot 13, Block 22, R J Williams Subdivision  
Otherwise known as 2498 Ave C**

Code Enforcement Officer, Karisma Luke provided an overview of the dates of mail, certified mail, and publications. There were no other speakers for or against this property.

- C) Property #3 Owners: Michael Mills & Melanie Mills  
NE/4 of Lot 6, Block 81, T.P. McCampbell Subdivision  
Otherwise known as 2135 Mooney Lane**

Code Enforcement Officer, Karisma Luke provided an overview of the dates of mail, certified mail, and publications. Building Official, Carey Dietrich explained this is currently a non-conforming use in a R-1 (Single Family Residential) area. Only a single-family home could be replaced on this property. There were no other speakers for or against this property.

**D) Property #4      Owners: Humberto & Graciela Moreno  
 Lots 18-20, Block 12, R J Williams Subdivision  
 Otherwise known as 2633 Main Street**

Code Enforcement Officer, Karisma Luke provided an overview of the dates of mail, certified mail, and publications.

Property Owner, Mr. Mario Hernandez explained he purchased this property five (5) months ago with the intention of building some type of event center for people to rent. He has since found out that he doesn't have enough parking and therefore is considering his other options.

**E) Property #5      Owners: Santiago Perez & Carolina Perez  
 Lots 14, 15, 16, 17 & 18, Block 10, Houghton Subdivision  
 Otherwise known as 2775 El Paso**

Building Official, Carey Dietrich reminded the Council this property has been brought before them two other times and each time the property owner's father has requested an extension; which was granted each time. There has been no work or communication from the owner of this property since Hurricane Harvey. There were no other speakers for or against this property.

**F) Property #6      Owner: Jo Nell Billman  
 Lots 17 & 18, Block 3, R J Williams Subdivision  
 Otherwise known as 2732 Ave D**

Code Enforcement Officer, Karisma Luke provided an overview of the dates of mail, certified mail, and publications. There were no other speakers for or against this property.

**Mayor Parker closed the Public Hearings at 6:59 p.m.**

**Action Items:**

**11. Consideration and action of an application filed by Sandi Ridgley to re-plat the following property, Lts 12-A, 12-B, and 12-C Blk 2, GarenOaks Subdivision Unit 2, City of Ingleside, San Patricio County Texas.**

Council Member Adame made a motion to approve the re-plat of Lts 12-A, 12-B, and 12-C Blk 2, GarenOaks Subdivision Unit 2, City of Ingleside, San Patricio County Texas; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

**12. Consideration and action of an application filed by Steven and Brenda Spiegelhoff to re-plat the following property, Lts 15-R, and 16-R Blk 11, College Height Subdivision, City of Ingleside, San Patricio County Texas.**

Council Member Perkins made a motion to approve the re-plat of Lts 15-R, and 16-R Blk 11, College Height Subdivision, City of Ingleside, San Patricio County Texas; and was seconded by Council Member Adame. The motion was approved unanimously.

**13. Consideration and action of an application filed by the City of Ingleside to re-plat the following property, Lot 1 Block 1 Live Oak Park Subdivision, City of Ingleside, San Patricio County Texas.**

Building Official, Carey Dietrich noted this is only plating the needed ROW for AEP to the new ball fields. No other ROW is listed at this time and as changes are needed for old lines or as the park is developed in other areas, new ROW's will be required to be brought back to the Council for approval.

Council Member Adame made a motion to approve the re-plat of Lot 1 Block 1 Live Oak Park Subdivision, City of Ingleside, San Patricio County Texas; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

- 14. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to R-3 (Three and Four Family Residential) and further providing for effective date, reading, severance, and publication: Lot 1, Block 1, M&M Subdivision, Ingleside, Texas, also known as 1330 Sunray Road. (First Reading)**

Council Member Tucker noted that the Planning and Zoning Commission recommended to deny this request for rezone and there are letters of objection.

Council Member Tucker made a motion to deny the Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to R-3 (Three and Four Family Residential) and further providing for effective date, reading, severance, and publication: Lot 1, Block 1, M&M Subdivision, Ingleside, Texas, also known as 1330 Sunray Road; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

- 15. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to I (Industrial) and further providing for effective date, reading, severance, and publication: Abst 184 WM McDonough Sur Trs 1-9 Mircovich est. Ingleside, TX, also known as S Ave B (South End). (First Reading)**

Council Member Adame made a motion to pass to a second reading the Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to I (Industrial) and further providing for effective date, reading, severance, and publication: Abst 184 WM McDonough Sur Trs 1-9 Mircovich est. Ingleside, TX, also known as S Ave B (South End); and was seconded by Council Member Tucker. The motion was approved unanimously.

- 16. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owners: Ernesto J. Gonzales, III & Celynn Gonzales, Lots 11 & 12, Block 25, R J Williams Subdivision, Otherwise known as 2494 Main Street.**

Council Member Adame made a motion authorizing the Demolition Order # 2018-11-001 determining that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property - Owners: Ernesto J. Gonzales, III & Celynn Gonzales, Lots 11 & 12, Block 25, R J Williams Subdivision, Otherwise known as 2494 Main Street; and was seconded by Council Member Tucker. The motion was approved unanimously.

- 17. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Juan G. Martinez, Lots 11, 12 & N 17' of Lot 13, Block 22, R J Williams Subdivision, Otherwise known as 2498 Ave C.**

Code Enforcement Officer, Karisma Luke noted that the Mortgage Company involved with this structure has not responded regarding their interest to repair or demolish this structure.

Council Member Fahrenthold made a motion authorizing the Demolition Order # 2018-11-002 determining that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property - Owner: Juan G. Martinez, Lots 11, 12 & N 17' of Lot 13, Block 22, R J Williams Subdivision, Otherwise known as 2498 Ave C; and was seconded by Council Member Tucker. The motion was approved unanimously.

- 18. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owners: Michael Mills & Melanie Mills, NE/4 of Lot 6, Block 81, T.P. McCampbell Subdivision, Otherwise known as 2135 Mooney Lane.**

Council Member Adame made a motion authorizing the Demolition Order # 2018-11-003 determining that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property - Owners: Michael Mills & Melanie Mills, NE/4 of Lot 6, Block 81, T.P. McCampbell Subdivision, Otherwise known as 2135 Mooney Lane with the stipulation that it not be effective until December 1, 2018; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

**19. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owners: Humberto & Graciela Moreno, Lots 18-20, Block 12, R J Williams Subdivision, Otherwise known as 2633 Main Street.**

Council Member Adame questioned if this structure could be brought back to code and the Building Official agreed it could. Since this same owner did such a great job on the recent Meat Market he opened at the corner of Avenue B and Amarillo Street, Council Member Adame would like to give him the opportunity to fix this as well.

Council Member Adame made a motion to allow the property owner six months from January 1, 2019 to work with the staff to bring this structure up to code and for the staff to bring back to Council at that time for a progress report; and was seconded by Council Member Tucker. The motion was approved unanimously.

**20. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owners: Santiago Perez & Carolina Perez, Lots 14, 15, 16, 17 & 18, Block 10, Houghton Subdivision, Otherwise known as 2775 El Paso.**

Council Member Tucker made a motion authoring the Demolition Order # 2018-11-004 determining that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property - Owners: Santiago Perez & Carolina Perez, Lots 14, 15, 16, 17 & 18, Block 10, Houghton Subdivision, Otherwise known as 2775 El Paso; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

**21. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Jo Nell Billman, Lots 17 & 18, Block 3, R J Williams Subdivision, Otherwise known as 2732 Ave D.**

Council Member Fahrenthold made a motion authoring the Demolition Order # 2018-11-005 determining that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property - Owner: Jo Nell Billman, Lots 17 & 18, Block 3, R J Williams Subdivision, Otherwise known as 2732 Ave D; and was seconded by Council Member Tucker. The motion was approved unanimously.

**22. Hurricane Harvey Recovery updates**

- a) Insurance
- b) Buildings and Facilities
- c) FEMA Debris Removal
- d) Fund 19 Fund Report

City Secretary, Kimberly Sampson Henry stated that there has been no new changes with the updates from Insurance. The Insurance Adjuster and his contract Engineer will be visiting the City the week after Thanksgiving.

Project Manager, Shane Torno (from Freeze and Nichols) provided an overview of the activities with Faith Park, Cove Park, Live Oak Park and the 8<sup>th</sup> Street Water Tower.

Both Lucas Pagan and Eric Howard, of H2O were present to give updates regarding their work with the City and FEMA. Mr. Pagan stated he is working with FEMA to determine if they are going to allow the City to use the previous RFQ for debris pick-up or whether

they will require the City to go out for another RFQ process. H2O is also working with FEMA to monitor the Library, City Hall, Faith Park, and the Public Works Lab/Office. Mr Howard stated they are preparing a presentation for the December Council Meeting in which they will provide an update on the payments received to date, what is pending, and what projects they are working on to forward to FEMA.

Mayor Parker questioned the 10% match from TDEM. Mr. Howard stated that there will be additional funds from TDEM; however due to the magnitude, the State may switch over to HUD funds.

**23. Consideration, discussion, and possible approval of a Change Orders associated with the repairs to City Hall Hurricane Harvey repairs. Depending on the preference of the council the amount of the change order will vary depending on which change order items are selected for execution. Change Order No. 1 is related to electrical Changes identified at the pre-construction meeting. Change Order No. 2 is related to HVAC upgrades and corrective measures. Change Order No. 3 is related to plumbing upgrades and corrective measures. Funding is available in the Harvey Fund.**

Eric Rivera, with Hanson Professional Services and City Manager, David Huseman provided an explanation of the various change orders being presented.

The first item presented was for electrical changes noted during the pre-construction meeting. This item is at the City's request to provide more receptacle and outlet boxes at certain location as well as running updated electrical wire throughout the left side of the building and installing a new breaker box located in the staff break room. The contractor's labor and material fees are included in the presentation totaling \$20,671.25; however, the possible fees from AEP are not included in the presentation.

The second item presented is for upgrades and changes to the HVAC system. The Staff and Contractor are still working with the Building Official regarding the code requirement; however, at this time, it appears we may be able to use the hallway for the return air instead of additional return air ductwork. What is being presented at this time is \$12,487.85

The third item presented is changes to the plumbing to allow for a tankless, electric, water heater and to move the sink necessary for maintenance and cleaning staff to outside the back door. With the cost being an additional \$1,666.35.

There are pending questions regarding the return air flow for the HVAC system. Staff is attempting to provide the return air by using a gate on the copier room instead of a full door.

H2O representative, Mr. Lucas Pagan reminded the Council that change order for codes are allowable; however, changes orders for items such as termites are not. FEMA considers those as regular maintenance.

Council Member Adame agreed these are fair prices being presented for the changes. He stated once the walls were removed and the staff/contractor were able to see everything, he anticipated there would be necessary changes due to the age of the building.

Council Member Adame made a motion to approve the changes as presented by Staff: and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

Mr. Rivera noted that there were other changes that are still being discussed between the staff and contractor that will be brought back at a later date: windows, gate, grounding, and can lights across the front of the building.

**24. Discussion, consideration, and action to approve the plans and specifications and authority for the City Manager to request bids for electrical infrastructure improvements at the Live Oak Sports Complex.**

Parks and Facilities Manager, Mariana Rodriguez stated this project is on its third attempt to seek bids for the electrical infrastructure improvements at the Live Oak Sports Complex. The City is using 2015 Bond funds and hope to bring the bids back to Council in December 2018 for approval.

Council Member Adame made a motion to approve the plans and specifications and authority for the City Manager to request bids for electrical infrastructure improvements at the Live Oak Sports Complex; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

**25. Consideration and action of an Ordinance amending the Hurricane Recovery Fund 2018-19 Budget for the City of Ingleside to provide for revenues in the amount of \$102,246 and expenditures in the amount of \$102,246 for amendments to the debris clean up by Crowder Gulf; and payment authorization. (Singles Reading)**

Finance Director, Linnette Barker explained this amendment is due to a previous bill that was invoiced incorrectly and this provides for the corrections that have been reviewed and approved by True North.

Council Member Fahrenthold made a motion to approved Ordinance # 2018-15 amending the Hurricane Recovery Fund 2018-19 Budget for the City of Ingleside to provide for revenues in the amount of \$102,246 and expenditures in the amount of \$102,246 for amendments to the debris clean up by Crowder Gulf; and payment authorization; and was seconded by Council Member Adame. The motion was approved unanimously.

**26. Consideration and action of an Ordinance amending the General Fund 2018-19 Budget for the City of Ingleside to provide for expenditures in the amount of \$500,000 to reduce the Texas Municipal Retirement System Unfunded Actuarial Accrued Liability; and payment authorization. (Singles Reading)**

Mayor Parker noted this is the Unfunded Actuarial Accrued Liability for TMRS that the Council and Staff have been discussing for some time to reduce. In the past there was discussion of one lump sum to reduce it totally. In later discussions it was decided to pay it down in increments.

Council Member Perkins made a motion to approve Ordinance # 2018-16 amending the General Fund 2018-19 Budget for the City of Ingleside to provide for expenditures in the amount of \$500,000 to reduce the Texas Municipal Retirement System Unfunded Actuarial Accrued Liability; and payment authorization; and was seconded by Council Member Adame. The motion was approved unanimously.

**27. Consideration and action of an Ordinance amending the General Fund 2018-19 Budget for the City of Ingleside to provide for expenditures in the amount of \$16,000 for both Time Keeper and Content/Document Management software with Incode/Tyler Technologies; and payment authorization. (Singles Reading)**

Finance Director, Linnette Barker described the two programs being considered: \$9,000 is for the Content/Document Management software and \$7,000 is for the Time Keeper software. The Purchase Order system was already approved in the budget and the

Content/Document Management software will support that PO system as well as the existing Building/Code Enforcement/and Utility programs; thereby, being used by existing departments that use Incode. The Time Keeper software will be used city-wide to help the staff, department managers, and the payroll department on a daily basis. Currently the majority of the time-keeping is done manually which allows for human error. This program will reduce the amount of errors and allow for more consistent use of time and leaves across all city staff. Following the original purchase of the programs, the annual fees will be \$5,000 and \$1,000 respectively as mentioned above.

It was noted that the Ordinance as presented is from the General Fund only and it should be a 70%/30% split between General/Utility Funds.

Council Member Tucker made a motion to approve Ordinance # 2018-17 amending the General Fund 2018-19 Budget for the City of Ingleside to provide for expenditures in the amount of \$16,000 for both Time Keeper and Content/Document Management software with Incode/Tyler Technologies; and payment authorization with the amendment to include a 70%/30% split between General/Utility Funds; and was seconded by Council Member Adame. The motion was approved unanimously.

**28. Discussion, consideration and action to authorize a one month extension of the City's depository contract with Frost Bank.**

Finance Director, Linnette Barker clarified that the existing contract with Frost Bank expires 12/31/18 and as we are currently seeking bids for a depository, the approval and contracts will not be finalized until after 12/31/18. Staff is requesting a 30-day extension.

Council Member Adame made a motion to authorize a one month extension of the City's depository contract with Frost Bank and was seconded by Council Member Perkins. The motion was approved unanimously.

**Consent Agenda:** (All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.)

**29. Ratification of City of Ingleside expenditures to be paid.**

**30. Approval of City Council Minutes dated August 28, September 11, 18, and 25, and October 8 and 23, 2018.**

Council Member Perkins and Fahrenthold requested the City Council Minutes dated September 11, 2018 be removed from the Consent Agenda because neither of them were at that meeting and therefore there would not be a quorum present at this meeting to vote on those minutes.

Council Member Adame made a motion to approve agenda items 29 and 30 with the exclusion of the City Council Minutes from the September 11, 2018; and was seconded by Council Member Perkins. The motion was approved unanimously.

**Executive Session:**

N/A

**31. Reports from Staff**

City Secretary, Kimberly Sampson Henry questioned if there was any feedback for the electronic Council Packets and if there was any need for change. There was no request from the Council.

City Manager, David Huseman stated that he has scheduled the Special Workshop specific for drainage to be Saturday, December 1, 2018.

**32. Requests from Council Members**

Council Members Tucker and Adame questioned when the Firework Ordinance would be brought to Council for review and Mr. Huseman noted it is scheduled for the December Council Meeting.



Council Member Adame requested a copy of the building code fees once provided via email to the Council to be provided in hard copy so they can see all together.

Mayor Parker asked when the Finance Committee would be meeting again and Mr. Huseman stated he would look into that.

Council Member Fahrenthold requested a copy of the Ordinance that allows the mobile home park on Avenue E to have travel trailers and Mr. Huseman stated he would have the staff research and provide to Council


**33. Adjourn**

There being no further business, the meeting was adjourned at 8:11 p.m.

**ATTEST:**

  
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Kimberly Sampson Henry, City Secretary

**APPROVED:**

  
\_\_\_\_\_  
Mayor Ronnie Parker