

City of Ingleside  
Minutes  
Regular City Council Meeting  
August 26, 2020  
6:30 PM

1. Call meeting to order

The Regular City Council Meeting on August 26, 2020 was called to order at 6:30 p.m., with Mayor Ronnie Parker presiding.

2. Roll Call

Council Members present: Mayor Ronnie Parker, Council Member Diehl, Council Member Wilson, Council Member Knippa. Council Member Fahrenthold, Council Member Schack, and Council Member Tucker were present via Zoom Meeting. Several City staff members were present.

3. Invocation

4. Pledge of Allegiance

5. Citizens Comments

Willie Vaden of 2100 Sixth Street, commented that Ingleside School District has had 150 students transfer to Rockport and Aransas Pass schools. He commented that he checked with the Ingleside School District for the reasons behind so many transfers and was told the reasons were 1) quality of life, regarding the parks of the City; 2) cost of housing. He reminded the City Council to remember this during the budget to improve on these issues.

Interim City Manager, Linnette Barker, commented there was a citizen comment regarding the food truck item. Mayor Parker, asked it to be addressed when that item was reached on the agenda.

**Presentations:**

There were no presentations.

**Consent Agenda:**

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, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

6. An Ordinance granting a special permit filed by Clayton Kemp for the following property: LTTS 13, 14, & 17.30, BLK 2 Old Ingleside Subdivision also known as 1411 Main. (Final Reading)

7. Discussion, consideration and action of City Council Minutes, dated July 22, 2020, Regular City Council Meeting and August 12, 2020, Regular City Council Meeting.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the Consent Agenda, to include Ordinance 2020-28. The motion passed unanimously.

20. Discussion, consideration, and action of an Ordinance amending Chapter 22 – Business Regulations, Article III Food Establishments, Division 1 – Generally, Sec. 22-51 Adoption of Texas Food Establishment Rules, and Division 2 – Permits, Sec. 22-61 Application for Permits and Fees, Through Sec. 22-63 Mobile Food Vendor Allowed Areas of Operations and Division 3 – Regulations, Sec. 22-71 Review of Plans, Ingleside Code of Ordinances and Providing for Effective Date, Reading, Severance, and Publication. (First Reading)

Director of Building and Planning, Carey Dietrich, presented the pending Ordinance, and requested direction from City Council. There would be an annual registration with the City, and a limit of three (3) day permit in one location. Each permit would be reviewed on a case by case basis.

Fire Chief, Steve Loving, requested that the food trucks obtain a fire inspection that would go along with the county health inspection.

Carrie Smith, of 1939 Indian Trail, representing food trucks, commented that Ingleside is the only city in the Coastal Bend that currently does not allow food trucks. She also was speaking for the Buckhorn owner, which is the only bar in town without a kitchen.

Council Member Diehl, recommended using special permits on the lengthy food truck stays, and the City should have spot inspections.

Mayor Parker, commented that the longer use special permits would need to be on private property.

Director of Building and Planning, Carey Dietrich, commented that the City would propose for annual registration, a fee of \$100.00.

Council Member Schack, recommended that there be an expiration date on the Ordinance.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to pass the proposed Ordinance to the second reading, with staff to come back with verbiage changes. The motion passed unanimously.

22. Discussion, consideration, and action, to approve water service by the City of Aransas Pass, Texas, to 1627 Beasley, Ingleside, Texas.

Andy Frasier, of 1627 Beasley, commented that his land is in the City of Ingleside, yet there are on City of Ingleside water services closer than 2700 feet. Aransas Pass has water service across the street and he was requesting to use Aransas Pass water services. Interim City Manager, Linnette Barker, recommended allowing them to hook up to Aransas Pass water services, with the contingency that if in the future if the City of Ingleside water service comes within 100 feet of the property, they would need to hook up to City of Ingleside water service.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to direct staff to create a memo and authorize the Mayor to sign documents regarding the services. The motion passed unanimously.

26. Discussion, consideration, and action to suspend a demolition order for 2791 San Antonio, Ingleside, Texas.

Director of Building and Planning, Carey Dietrich, presented the timeline of the demolition order for 2791 San Antonio, Ingleside, Texas. Nicole Lattiere, the new owner of 2791 San Antonio, spoke regarding the purchase of the property on April 24, 2020 and were not aware of the demolition order, and requested a suspension of the demolition order.

Council Member Diehl, commented if six months was enough time to complete the renovation, and if this could be suspended for twelve months from today's date.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to suspend the demolition order for twelve months from today's date. The motion passed unanimously.

27. Discussion, consideration, and action, to approve a Special Use Permit for Best of the Bay.

Director of Parks and Recreation, Mariana Rodriguez, presented the Special Use Permit request for July 22, 2021 through July 25, 2021.

Council Member Fahrenthold, made a motion, seconded by Council Member Knippa, to approve the Special Use Permit for Best of the Bay. For July 22, 2021 through July 25, 2021. The motion passed unanimously.

28. Discussion, consideration, and action, to approve a Special Use Permit for Ingleside Chamber of Commerce.

Director of Parks and Recreation, Mariana Rodriguez, presented the Special Use Permit request for Ingleside Chamber of Commerce Round Up Days Music Festival for the dates of March 26, 2021 and March 27, 2021.

Council Member Wilson, made a motion, seconded by Council Member Knippa to approve the Special Use Permit for Ingleside Chamber of Commerce for March 26, 2021 through March 27, 2021. The motion passed unanimously.

29. Discussion, consideration, and action, to approve a Special Use Permit for Battlin' BBQ.

Director of Parks and Recreation, Mariana Rodriguez, presented the Special Use Permit request for Battlin' BBQ for the dates of October 28, 2021 through October 31, 2021.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the Special Use Permit for Battlin' BBQ for the dates of October 28, 2021 through October 31, 2021. The motion passed unanimously.

30. Discussion, consideration, and action on 2020 HOT Fund Post Event Report from Ingleside Chamber of Commerce for Ingleside Round Up Days Music Festival, with request to fund additional expenses of \$3,779.56.

Director of Economic Development, Jodi Carr, presented the Post Event Report for Ingleside Round Up Days Music Festival.

Council Member Diehl, commented that advertising was done in advance, then COVID-19 shut down the festival.

Council Member Diehl, made a motion, seconded by Council Member Fahrenthold to approve the Post Event Report for Ingleside Round Up Days Music Festival, with request to fund additional expenses of \$3,779.56. The motion passed unanimously.

31. Discussion, consideration, and action on 2020 HOT Fund Post Event Report from Best of the Bay Fishing Tournament.

Director of Economic Development, Jodi Carr presented the Post Event Report for Best of the Bay Fishing Tournament, which has been reimbursed.

Council Member Diehl, made a motion, seconded by Council Member Knippa, to approve as reported, the Post Event Report for Best of the Bay Fishing Tournament. The motion passed unanimously.

32. Discussion, consideration, and action on 2020 HOT Fund Post Event Report from Battlin' BBQ.

Director of Economic Development, Jodi Carr presented the Post Event Report for Battlin' BBQ. The funds have been reimbursed in the amount of \$31,601.00. Council Member Diehl, commented looking forward to new applications in the future.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the Post Event Report for Battlin' BBQ. The motion passed unanimously.

33. Discussion, consideration, and action on 2021 HOT Fund Application from Ingleside Chamber of Commerce for Ingleside Round Up Days Music Festival set for March 26-27, 2021.

Director of Economic Development, Jodi Carr, presented the HOT Fund Application from Ingleside Chamber of Commerce for Ingleside Round Up Days Music Festival, requesting \$46,550.00, and for the HOT Funds to pay half in advance.

Mayor Parker, made a motion, seconded by Council Member Knippa, to approve the HOT Fund Application, paying half in advance. The motion passed unanimously.

34. Discussion, consideration, and action on 2021 HOT Fund Application from Best of the Bay Fishing Tournament scheduled July 23-24, 2021.

Director of Economic Development, Jodi Carr, presented the HOT Fund Application from Best of the Bay Fishing Tournament, requesting, \$17,675.00, with half paid in advance in the amount of \$8,837.50.

Council Member Diehl, made a motion, seconded by Council Member Knippa, to approve the HOT Fund Application from Best of the Bay Fishing Tournament, paying half in advance. The motion was approved unanimously.

35. Discussion, consideration, and action on 2021 HOT Fund Application from Battlin' BBQ set for October 28-30, 2021.

Director of Economic Development, Jodi Carr, presented the HOT Fund Application from Battlin' BBQ, requesting \$86,897.00, with half paid in advance in the amount of \$43,448.50.

Council Member Diehl, questioned if this meets the projected income of HOT Funds, which was confirmed by Director of Economic Development, Jodi Carr.

Willie Vaden, of 2100 Sixth Street, questioned what the money will be spent on. He requested through the Open Records Act a copy of the application. Willie Vaden, commented he did not agree with the amount. Council Member Diehl, commented that during the application process, an estimated attendance is reported. Council Member Wilson, commented that some funds from the event go towards children battling cancer. Mayor Parker, commented that this is a non-profit organization.

Council Member Wilson, made a motion, seconded by Council Member Fahrenthold to approve the HOT Fund Application from Battlin' BBQ. The motion passed with six (6) votes yes, and one (1) vote no from Council Member Knippa.

#### **Public Hearing:**

Mayor Parker closed the Regular City Council Meeting at 7:55 p.m. to proceed to the Public Hearing at 7:55 p.m.

8. A Public Hearing for City of Ingleside Budget 2020/21.

9. A Public Hearing, for a contract amendment for the Houghton Drainage Improvements Project – GLO DCBG-DR Grant #20-065-086-C247.

There were no public comments.

Mayor Parker closed the Public Hearing at 7:56 p.m. to proceed to the Regular City Council Meeting at 7:56 p.m.

#### **Action Items:**

10. Discussion and direction for the implementation for the Amendment to the proposed 2020/21 Budget.

Interim City Manager, Linnette Barker, presented the Amendments to the proposed 2020/21 Budget. Council Member Diehl, commented he would like explanations of line items 2, 3, and 4. Interim City Manager, Linnette Barker, commented the maintenance of all parks needs more upkeep and beautification. This will enable the City to put maintenance of the parks back under the Public Works Department, allowing the Parks and Recreation Department to create programs.

Interim City Manager, Linnette Barker, commented she tried to get bids for parks mowing, to allow Public Works to work on City functions, but was not able to get bids. Council Member Schack, asked the percentage of overtime in Public Works last year, which Interim City Manager, Linnette Barker commented it was very low. Council Member Schack, commented he was not in favor, as it may take wages away from City employees. Interim City Manager, Linnette Barker, commented she would like to officially remove the contract labor portion of the line item. Mayor Parker, commented that the “no overtime” direction was implemented by previous management.

Interim City Manager, Linnette Barker, commented that item five (5), equipment operator was left out of the budget accidentally. This amendment will add this back in to the budget. Regarding the Assistant Emergency Management Coordinator, Interim City Manager, Linnette Barker, commented she spoke with Fire Chief, Steve Loving. The Fire Chief, Steve Loving, said the position was not needed.

Interim City Manager, Linnette Barker, commented that item nine (9), Risk Management Coordinator/Emergency Operations Manager portion would be removed, from the guidance of the City Council.

Council Member Fahrenthold, lost connection throughout the remainder of the meeting.

#### 11. Discussion, consideration, and action on the 2020 Tax Year Proposed Tax Rate.

Interim City Manager, Linnette Barker, presented the No New Tax Rate of .664422, which lowers the tax rate from the current rate of .682515. Per Senate Bill 2, council needs to vote confirming that City Council Members are aware of the No New Tax Rate. This is not a vote for adoption. The vote was 5 yes votes, with Council Member Schack voting no.

#### 12. Discussion, consideration, and action on an Ordinance for 2019/2020 General Fund Budget Amendment for the purchase of Street Maintenance Equipment.

Council Member Diehl, made a motion, seconded by Council Member Wilson to approve the Ordinance for the 2019/2020 General Fund Budget Amendment for the purchase of Street Maintenance Equipment. The motion passed unanimously.

#### 13. Discussion, consideration, and action on an Ordinance of the City of Ingleside, Texas, amending the 2019/2020 General Fund Budget to add additional appropriations to the Parks and Recreation Budget for the purchase of the monument sign and plaques at the Bennie Diegel Sports Complex.

Council Member Diehl, requested the estimated date of completion for the project. Director of Parks and Recreation, Mariana Rodriguez, commented it should be complete within six to eight weeks.

Council Member Tucker, made a motion, seconded by Council Member Diehl, to approve the Ordinance amending the 2019/2020 General Fund Budget to add additional appropriations to the Parks and Recreation Budget for the purchase of the monument sign and plaques at the Bennie Diegel Sports Complex. The motion passed unanimously.

#### 14. Discussion, consideration, and action of a Resolution for a contract amendment for the Houghton Drainage Improvements Project – GLO CDBG-DR Grant #20-065-086-C247.

Director of Infrastructure, Sarah West, presented the contract amendment, commenting it only changes the scope of work, not the cost of the project. Mayor Parker, questioned if the streets being eliminated were part of the original application. Director of Infrastructure, Sarah West, commented that Mustang Drive had not been included since she was involved with the project. Council Member Diehl, questioned if there could be an extension on the grant due to COVID-19. Michele Goerke, of Grantworks, commented that HUD has extended all projects a year, however GLO has not commented if they will extend projects due to COVID-19, and the stormwater portion of the project currently has an expiration date of March 2022.

Council Member Diehl, made a motion, seconded by Council Member Schack, to adopt the Resolution for a contract amendment for the Houghton Drainage Improvements Project – GLO CDBG-DR Grant #20-065-086-C247. The motion passed with five (5) votes yes, and Council Member Wilson voting no.

15. Discussion, consideration, and action of an Ordinance amending Chapter 30-Environment, Article III Weeds, trash, rubbish, debris, green waste, stagnant water, Generally Sec. 30-92, depositing garbage, trash and rubbish on public or private property, Ingleside Code of Ordinances and providing for effective date, reading, severance, and publication. (Final Reading)

Council Member Diehl, commented he would not support this Ordinance after researching the issues from the first reading. He asked for the staff to go back and look at other cities ordinances and make some changes.

Council Member Diehl, made a motion, seconded by Council Member Schack, to adopt the Ordinance, striking the 14 days and leave at 30 days, and to approve the exception. The motion passed with five (5) yes votes and one (1) no vote by Mayor Parker.

16. Discussion, consideration, and action, to award a bid for the awning at Humble Youth Center.

Director of Parks and Recreation, Mariana Rodriguez, presented the bid for the awning at Humble Youth Center.

Mayor Parker, questioned the difference in width on the sides of the building. Director of Parks and Recreation, Mariana Rodriguez, confirmed the width size is the same. Mayor Parker, asked if the removal of the awning would be included in the contract. Director of Parks and Recreation, Mariana Rodriguez confirmed it would be in the contract at no cost for removal, and confirmed it would be the same color as the awnings of the business next door.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to authorize the amount of \$15,160.00, contingent upon removal and replacement of the awnings in case of a storm, at no cost in the written contract. The motion passed with five (5) yes votes and one (1) no vote by Council Member Tucker.

17. Discussion, consideration, and action, to award bid for the Humble Center ADA Parking Improvements.

Mayor Parker, commented that the election judge had asked that the potholes be filled, and why could the City staff not complete this. Director of Infrastructure, Sarah West, commented that the task order was approximately \$8,000.00. Council Member Diehl, commented that the bids that were all over the amount that Hanson Engineering estimated. Council Member Diehl, agreed with Mayor Parker, that City staff could fill the potholes.

Council Member Diehl, made a motion, seconded by Council Member Knippa, to deny the bid, and accept the alternate proposal for City staff to complete the project. The motion passed unanimously.

18. Discussion, consideration, and action to award the bid for the park's playground equipment, bleachers and shade structures.

Director of Parks and Recreation, Mariana Rodriguez, presented the bid for the park's playground equipment, bleachers and shade structures.

Council Member Diehl, asked the Interim City Manager, Linnette Barker if this fit within the budget. Interim City Manager, Linnette Barker, confirmed this. The \$460,000.00 is already budgeted, and the 2016 bond has a balance \$409,416.00. The total amount requested is \$507,655.00.

Council Member Schack, commented that possibly take \$409,416.00 from the 2016 bond, and take the remainder out of the allocated money. Interim City Manager, Linnette Barker,

commented that would work as well. Council Member Schack, commented he would like to see shade structures for Live Oak Park as well.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to table the item. The motion passed unanimously.

19. Discussion, consideration, and action to review and reappoint Alternate Municipal Court Judge.

Council Member Wilson, made a motion to reappoint the alternate Municipal Court Judge, seconded by Council Member Tucker. The motion passed unanimously.

21. Discussion, consideration, and action on a Resolution, to reject Request for Qualifications received by the City of Ingleside, Texas for the proposed Animal Control Facility.

Interim City Manager, Linnette Barker, presented the Resolution, rejecting all Requests for Qualifications, or keep the Requests for Qualifications and put a limit on the facility.

Mayor Parker, discussed the aspects of what would be needed in order to seek donations for the Animal Control Facility, and the process for getting the slab engineered. Council Member Diehl, inquired if the 4<sup>th</sup> Street location had been adopted as the site for the proposed Animal Control Facility, which Interim City Manager, Linnette Barker, confirmed. Willie Vaden, of 2100 Sixth Street, commented that the Aransas Pass Animal Shelter's floor plan is what is needed, just in a larger form.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to reject the Request for Qualifications received by the City of Ingleside, Texas for the proposed Animal Control Facility. The motion passed unanimously.

23. Discussion, consideration, and action, to apply for the Coronavirus Relief Fund (CRF) and authorization for the Mayor to sign.

Finance Department Accountant, Isabel Salas, presented the Coronavirus Relief Fund, with a brief explanation of examples of usage for the Fund.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the application for the Coronavirus Fund, and authorization for the Mayor to sign documents pertaining to the Fund. The motion passed unanimously.

24. Discussion, consideration, and direction for IDC Park Plan regarding Tennis Courts.

City Council Members, gave direction to continue without adding tennis courts at Faith Park, and to leave the existing tennis courts at Live Oak Park.

25. Discussion, consideration, and action, to develop cost estimates for Garden Center and Pool.

Director of Parks and Recreation, Mariana Rodriguez, presented what the cost estimates would cover, and explained that only two bids had been received at this time. Interim City Manager, Linnette Barker, commented that Hanson Engineering, offered to do the assessment for the preliminary work, as they had completed an assessment after Hurricane Harvey, which gave an assessment to replace the pool one for one, at the cost of \$2,137,450.00, and the pool bath repairs for \$236,400.00. Interim City Manager, Linnette Barker, commented the cost for an assessment was approximately \$20,000.00. Council Member Schack, commented that the redo of the pool as is would be building a pool that is now too small for the City, and would like to see the pool be located at N. O. Simmons Park, to have a pool that is the correct size for the City.

Council Member Schack, made a motion, seconded by Council Member Diehl, to direct IDC, to locate the pool at N. O. Simmons Park. The motion failed with three votes ycs by Council Member Diehl, Council Member Schack, and Council Member Tucker and three votes no by Council Member Wilson, Council Member Knippa, and Mayor Parker.

Council Member Diehl, commented he does not support not having a pool for the City.

**Executive Session:**

36. The City Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.074 (Personnel Matters), to discuss, deliberate, and consider the following item – Discussion regarding duties outlined in the job description for the position of Director of Infrastructure Services.

Mayor Parker, closed the Regular City Council Meeting at 10:57 p.m. to proceed to the Executive Session.

Mayor Parker, started the Executive Session at 11:07 p.m.

Mayor Parker, closed the Executive Session at 11:23 p.m., and reopened the Regular City Council Meeting at 11:23 p.m.

**Action Items:**

37. Discussion, consideration, and action of the item(s) discussed in Executive Session.

Mayor Parker, made a motion, seconded by Council Member Diehl, to not fund the Director of Infrastructure position, beginning October 1, 2020, and give direction to the Interim City Manager, to budget a City Engineer, at Pay Grade 17, beginning October 1, 2020. The motion passed unanimously.

**Other:**

- 38. Reports from Staff
  - a) City of Ingleside expenditures over \$3000.00
  - b) Purchase Orders over \$2,000.00
  - c) Other Updates

Director of Economic Development, Jodi Carr, asked the City Council to give her their comments from the IDC Board/City Council Meeting by Friday.

39. Requests from Council

Council Member Wilson, asked that the real estate sign at Highway 361 and West Main, to be taken down, as it is an eyesore.

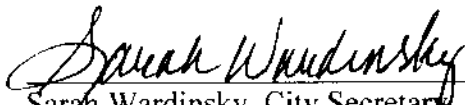
Council Member Knippa, requested adding to a future meeting as a discussion item, the Avenue A project, and find out how far along regarding various zoning issues. He would like to have an agenda item regarding a moratorium restricting any zoning changes from R-1 to Multi-Family or T-1, until the May election.

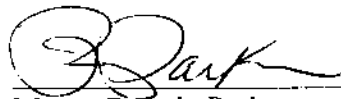
40. Adjourn

Mayor Parker, adjourned the meeting at 11:39 p.m.

**ATTEST:**

**APPROVED:**

  
 Sarah Wardinsky, City Secretary

  
 Mayor Ronnie Parker