January 8, 2019
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ................................................................. Mayor
Timothy L. McCoy ................................................................. Councilmember
Carl O’Neill ................................................................. Councilmember
Kevin M. Coleman ................................................................. City Manager
Kenneth E. Kvinta ................................................................. City Attorney
Theresa A. Bowe ................................................................. City Clerk

ABSENT: Elorine Sitka ................................................................. Mayor Pro-Tem
Billy Goodrich ................................................................. Councilmember

MAYOR Rodriguez called the meeting to order and gave the invocation. The pledge of allegiance was recited by all in attendance. Leslie Garcia was introduced as the newest Telecommunication Operator in the Police Department.

MOTION by Councilmember McCoy to adopt the minutes of December 11, 2018 as presented. Second was made by Councilmember O’Neill; motion carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to hear an appeal for clean-up of property located at 315 Cross Street. The property owner did not appear before Council to present his appeal. A solid fence has been erected and additional clean up has been conducted to begin bringing the property into compliance. Consensus of the Council was to remand the case back to the Building and Standards Commission for continued monitoring.

AFTER review and discussion, Councilmember O’Neill made a motion to authorize an expenditure for an unbudgeted expense in the amount of $9,376.47 for relocation of the emergency communications repeater and antennae currently located at the Texas Department of Transportation facility. The repeater will be temporarily set at another location until it can be replaced on the new TxDOT tower being erected. Motion was seconded by Councilmember McCoy and carried unanimously.

INFORMATION on the purchase of a command vehicle for the Yoakum Fire Department was presented. Staff recommended tabling the project until a later date in order for budgeting options to be reviewed.

A request was received from Juanita Abercrombie for reimbursement of fees for the placement of a sewer tap at 203 Martin Street. Detailed information was presented regarding the manufactured homes that had previously been located on the property that had sewer and water service. Those homes had been removed for several years; during the sewer improvement project when new sewer main lines were installed the existing sewer taps were not installed on any vacant properties. An explanation of the fees as listed in the City of Yoakum Manual of Fees and Service Charges were provided. City Manager Coleman indicated that the property owner has the option to have the installation fee reimbursed and hire a plumber to attempt to locate the pre-existing sewer taps and determine if the taps are functional; if the taps are unable to be located, the City will stand by the current quote provided for the installation of a new sewer tap. If the cost of the sewer tap is
less than the quoted price, the City will reimburse the property owner; if the cost of the sewer tap is greater than the quote, the property owner will not be charged the additional funds. After discussion, the property owner indicated that they will move forward with the new sewer tap at the quoted cost. JEFF Markey and Tod Ericson were present to provide information and request support for the development of property located at 201 Elwood Street for Bouldin Communities, LLC of Austin, Texas. The group is competing for IRS tax credits for affordable housing projects. Yoakum scores well with the housing tract which may allow the company to be successful in receiving tax credits through the Texas Department of Housing and Community Affairs. Details of the proposed housing unit were discussed. The property is currently under contract until July when the results of the tax credit applications will be received. After discussion, Councilmember O’Neill made a motion to adopt a resolution (recorded as No. 2019-01) in support of the development of property located at 201 Elwood Street for Bouldin Communities, LLC of Austin, Texas. Second was made by Mayor Rodriguez. Motion carried with Councilmember O’Neill and Mayor Rodriguez voting in favor and Councilmember McCoy voting against.

DISCUSSION was held regarding demolition bids received for properties ordered abated by the Building and Standards Commission: 1) 704 Sheehan Street has been court ordered to have mowers, trailers, and auto parts removed by February 1, 2019. Demolition bids came in with Shawn Braun being the low bidder with the swiftest abatement timeframe; 2) 302 Hope Street, is an abandoned church building. Staff contacted church headquarters in San Antonio who have declined to claim the property. An asbestos survey may be needed prior to demolition. Low bidder on the abatement of the property was Charles Hall. After review and discussion, Councilmember McCoy made a motion to award the demolition bids to the low bidders as presented. Councilmember O’Neill seconded the motion; motion carried unanimously.

THE request received from the Dash For Downs Committee for the closure of streets was withdrawn.

INFORMATION was presented from Robert C. Lassmann, 24th Judicial District Attorney concerning the use of body cameras and related technology for the Police Department. The letter encouraging the purchase and use of the equipment was presented for Council review. Funding options were discussed including the opportunity for grant funding through the Texas Criminal Justice Division. Policies will need to be reviewed and put in place prior to implementation. Council gave direction to staff to move forward with the application for grant funding and development of appropriate policies.

MOTION by Councilmember McCoy to adopt a resolution (recorded as No. 2019-02) on first reading authorizing the expenditure of Type B Sales Tax Funds in the amount of $125,000 in conjunction with The Grand Theater at 212 May Street. Second was made by Councilmember O’Neill; motion carried unanimously.

COUNCILMEMBER O’Neill made a motion to adopt a resolution (recorded as No. 2019-03) authorizing, establishing the procedures for, and appointing the election officials for the City of Yoakum General Election to be held on May 4, 2019. Motion was seconded by Councilmember McCoy and carried unanimously.

MOTION by Councilmember McCoy to authorize the City Manager to enter into a Lease Agreement with Lavaca County for HAVA compliant election equipment. Councilmember O’Neill seconded the motion. Motion carried unanimously.

MOTION by Councilmember McCoy to award a contract for grant administration for the 2019-2020 Texas Department of Agriculture Texas Community Development Block Grant Program to
Esser and Company, and award a contract for grant administration for the Hurricane Harvey Disaster Recovery Funds through the Texas General Land Office to Langford Community Management Services, and authorize the City Manager to act in all matter related to the contract. Second was made by Councilmember O’Neill and motion carried unanimously.

COUNCILMEMBER O’Neill made a motion to award a contract for engineering services for the 2019-2020 Texas Department of Agriculture Texas Community Development Block Grant Program to TRC Solutions, Inc. of Austin, Texas and authorize the City Manager to act in all matters related to the contract. Motion was seconded by Councilmember McCoy and carried unanimously. Consideration for the engineering services for the Hurricane Harvey Disaster Recovery Funds through the Texas General Land Office were tabled for a later meeting.

UNDER the City Manager’s report, Council was invited to the Guadalupe Valley Water Association meeting to be hosted by the City of Yoakum on Thursday, January 17, 2019 at the Yoakum Community Center, and the Yoakum Area Chamber of Commerce 101st Annual Banquet to be held Thursday, January 31, 2019. Information was provided for important dates and activities related to the May 4, 2019 election and the bi-annual Clean-Up program is being considered for the last weekend in April. The Annual Street Improvement Project has been completed and the contractor will be returning in March to identify needed repairs. Well #7 rehabilitation has been completed and the well is in operation. Final testing of the water quality is being performed. Information was provided on a major leak on Simpson Street that will require the assistance of a contractor to complete the repairs. Eddy Packing Company is still working through their options regarding their sewer treatment issues. A grant request may be submitted to the Yoakum Economic Development Corporation to assist with the upgrades needed. Additional information may be available at a later date. The draft Downtown Zoning Map revisions continue to be reviewed by the Planning and Zoning Commission who will meet again on January 14, 2019. Formal hearings and notices will be sent out for the February Planning and Zoning meeting to inform citizens and request public input. Staff will be working through revisions to the fence restrictions for review by Council.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:26 PM to deliberate the appointment, employment, evaluation, etc. of the Director of Finance (V.T.C.A., Gov. Code Sec. 551.074), and to consult with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 7:45 PM with no action resulting from Executive Session.

There being no further business, the meeting adjourned at 7:45 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ........................................... Mayor
Elorine Sitka ......................................................... Mayor Pro-Tem
Billy Goodrich ....................................................... Councilmember
Carl O’Neill .......................................................... Councilmember
Kevin M. Coleman .................................................... City Manager
Kenneth E. Kvinta ..................................................... City Attorney
Theresa A. Bowe ....................................................... City Clerk

ABSENT:  Timothy L. McCoy ........................................... Councilmember

MAYOR Rodriguez called the meeting to order and Mayor Pro-Tem Sitka gave the invocation. The pledge of allegiance was recited by all in attendance. Retiree Police Lieutenant Lee Campbell was present to receive a plaque of appreciation for his 37 ½ years of dedicated service to the City of Yoakum. Investigator Sharon Mucala was acknowledged for her 40 year anniversary with the City of Yoakum and City Clerk Theresa Bowe was acknowledged for her second Texas Registered Municipal Clerk recertification through the Texas Municipal Clerks’ Association.

MOTION by Mayor Pro-Tem Sitka to adopt the minutes of January 8, 2019 as presented. Second was made by Councilmember O’Neill; motion carried unanimously.

LORI Rondeau was present to make a request on behalf of the Yoakum Girl Scout Troop #9414 to waive restrictions for overnight camping in the Yoakum Municipal Park and waiver of the pavilion reservation fee. The event is to promote “leave no trace” camping techniques with age groups ranging from kindergarten to 7th grade students. The troop intends to invite groups from the surrounding area, as well, with roughly 50 participants. After review and discussion, Councilmember Goodrich made a motion to grant the request as presented. Motion was seconded by Councilmember O’Neill and carried unanimously.

GRISELDA Portales was present representing the Yoakum High School National Honor Society. The organization requested the closure of certain streets to hold a Color Fun Run as a fund raising event. After review and discussion, Councilmember O’Neill made a motion to authorize the closure of certain streets surrounding the Yoakum High School Football Stadium for a Color Fun Run to be held on Saturday, April 6, 2019 as presented. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

INFORMATION was presented regarding the purchases for a command vehicle for the Fire Department. After review of the previously submitted quotes, the Yoakum Volunteer Fire Department has agreed to pay the over budget amount for the command vehicle. After review and discussion, Councilmember Goodrich made a motion to authorize the purchase of a command vehicle for the Fire Department from Partners Chevrolet of Cuero, Texas in the amount of $43,274.42. Second was made by Councilmember O’Neill and carried unanimously.

MOTION by Mayor Pro-Tem Sitka to approve the purchase agreement with Metro Fire Apparatus of Houston, Texas as a sole source provider for attachments and decals for the command vehicle in the amount of $51,841.00. Councilmember Goodrich seconded the motion; motion carried unanimously.
RECOMMENDATION was received for the purchase of a used pneumatic roller. After review and discussion, Councilmember O’Neill made a motion to authorize the purchase of a 2018 Caterpillar Pneumatic Roller through HoltCAT of Victoria, Texas in the amount of $89,437.83.

INFORMATION was presented regarding a request for street closures from the Dash For Downs Committee. After review and discussion, Councilmember O’Neill made a motion to authorize the closure of certain streets and the use of ATVs on City streets for the annual 5K and Kids Fun Run on May 11, 2019 as requested. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to award a contract to TRC Engineers of Austin, Texas and authorizing the City Manager to act in all matters related to Requests for Proposals for engineering services for the Hurricane Harvey Disaster Recovery Funds through the Texas General Land Office. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

COUNCILMEMBER O’Neill made a motion to adopt a resolution (recorded as No. 2019-02) on second and final reading authorizing the expenditure of Type B Sales Tax Funds in the amount of $125,000 in conjunction with The Grand Theater at 212 May Street. Motion was seconded by Councilmember Goodrich and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to engage TRC Engineers, Inc. of Austin, Texas for final design work of the FM 318 Lift Station Improvements in an amount not to exceed $84,240. Second was made by Councilmember O’Neill and motion carried unanimously.

DIRECTOR of Economic Development Chuck Dart was present to provide the 2018 Yoakum Economic Development Corporation Annual Report. The written report was reviewed.

CITY Manager Coleman provided information regarding the Downtown Christmas Lighting Program. The Chamber of Commerce sponsored fund raising efforts continue for support of this project. Businesses along a stretch of Lott Street have expressed interest in the expansion to include their buildings. Motion by Mayor Pro-Tem Sitka to continue the City’s involvement in the project limited to the mechanics of installation and power connection so long as the program has full buy-in from the area building owners, the City receives a signed liability waiver from all participating property owners, a deadline is set to develop the final layout and materials are on hand by August of 2019, and the additional area as indicated is the final area to be covered. Second was made by Councilmember Goodrich; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2019-04) authorizing the City Manager to submit an application for and act in all matters related to a 2020 Border Star Grant through the Office of the Governor for Police Department funding. Second was made by Councilmember O’Neill and motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to adopt a resolution (recorded as No. 2019-05) authorizing the submission of a grant application to the DJ-Edward Byrne Memorial Justice Assistance Grant Program for Fiscal Year 2020 to fund body cameras and in-car cameras. Investigator Michael Pierman was present to provide information and answer questions. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember O’Neill to adopt a resolution (recorded as No. 2019-06) authorizing the submission of a Texas Community Development Block Grant Program application to
the Texas Department of Agriculture for the Community Development Fund in the amount of $275,000. Second was made by Councilmember Goodrich; motion carried unanimously.

INFORMATION was presented regarding the continuation of the City's Tax Abatement Policy. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2019-07) reaffirming the City of Yoakum Tax Abatement Policy as presented. Councilmember Goodrich seconded the motion. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to appoint Sandra Bergey as a regular member to the Building and Standards Commission; and Stuart Kalisek and Mark Manning as Alternate Members to fill unexpired terms for the Building and Standards Commission. Motion was seconded by Councilmember O'Neill and carried unanimously.

MOTION by Councilmember O'Neill to appoint Mayor Pro-Tem Elorine Sitka, Councilmember Billy Goodrich, and City Manager Kevin Coleman to the City/School Summer Recreation Board. Motion was seconded by Mayor Rodriguez and carried unanimously.

INFORMATION was presented regarding a proposed agreement with Texas Disposal Systems for brush and lumber grinding services. After review and discussion, Councilmember O'Neill made a motion to authorize the City Manager to enter into an agreement with Texas Disposal Systems/Garden-ville of Austin, Texas in the amount of $3.53 per cubic yard, and direct staff to investigate through the Texas Commission on Environmental Quality the possibility of burning residual Hurricane Harvey debris to alleviate the cost. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

AFTER review of proposed revisions, Councilmember O'Neill made a motion to adopt amendments to the Carl & Mary Welhausen Library Policy Manual as amended to clarify primary documents allowed as proof of identity. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember Goodrich to authorize the waiver of library overdue fines in conjunction with a food drive project for the Carl & Mary Welhausen Library for a two week period. Councilmember O'Neill seconded the motion; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the Mayor to execute a revised Joint Election Agreement between the City of Yoakum, the Yoakum Hospital District, and the Yoakum Independent School District. Motion was seconded by Councilmember O'Neill and carried unanimously.

MOTION by Councilmember O'Neill to proclaim the week of March 4th-March 8th, 219 as "Texas Public Schools Week." Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.

UNDER the City Manager's report, Council was invited to the Yoakum Volunteer Fire Department Benefit scheduled for February 17, 2019, the grand re-opening event for the Carl & Mary Welhausen Library on February 25, 2019 after finalization of renovations from Hurricane Harvey, the TML Region 11 Meeting scheduled for February 21, 2019 hosted by Port Lavaca, Texas, and the Dr. Seuss Birthday Party hosted by the Carl & Mary Welhausen Library scheduled for March 1, 2019. Council was informed of the City-wide Clean-up program scheduled for the week of April 1st – April 6th, 2019, and the joint City Council/Yoakum Economic Development Corporation Board of Directors meeting scheduled for April 16, 2019. Information was presented by City Manager Coleman regarding a proposal from Lavaca County Rural Transit Authority to establish a regular bus route
within the City of Yoakum and may be requesting assistance with the installation of signage and establishment of bus stops. Council was informed of upgrades being performed on the Little League batting cages: concrete is being improved, upgrade of the netting is being done, the shelter over the facility is being completed with lighting along with new fencing, and artificial turf is being installed. Weaver and Jacobs Constructors are doing the work at cost with volunteers assisting in the renovations. Total cost on the project is roughly $23,000. The emergency repeater utilized for emergency radio transmissions by the Fire Department has been temporarily relocated to the tower at City Hall due to the tower replacement project for the District 13 Texas Department of Transportation. The tower is scheduled to be removed and put back into place by a contractor. Once the replacement project is complete the Fire Department’s repeater will be relocated back to the TxDOT tower. A wayfinding sign committee has been established consisting of Carl O’Neill, Diane McCommas and DED Chuck Dart to identify points of interest and prioritize the best places to locate the signs. A Request for Qualifications for the Downtown Revitalization (sidewalk) Project will be going out; recommendations will be brought to Council for review at a future meeting. The first Annual Library Inventory Report was submitted for Council review. A copy of the 4th Quarter Quarterly Investment Report was submitted for review. Information was presented regarding the draft Downtown Zoning map recommendations from the Planning and Zoning Commission. Citizens were present at the last Planning and Zoning Commission to discuss concerns with the proposed changes. The Planning and Zoning Commission will be reviewing the project again prior to submitting and recommendation to the Council. Discussion was held regarding properties scheduled for demolition: 704 Sheehan Street is contracted to begin the clean-up process this week, and the church at 302 Hope Street is being reviewed by a private citizen in an effort to refurbish the property. Additional information will be available at a future meeting.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:35 PM to deliberate the appointment, employment, evaluation, etc. of the Director of Finance (V.T.C.A., Gov. Code Sec. 551.074), to deliberate the appointment, employment, evaluation, etc. of the Municipal Judge (V.T.C.A., Gov. Code Sec. 551.074), to deliberate the appointment, employment, evaluation, etc. of the City Attorney (V.T.C.A., Gov. Code Sec. 551.074), to consult with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), and to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 8:10 PM. Action resulting from Executive Session as follows: Motion by Mayor Pro-Tem Sitka to increase the monthly salary of the Municipal Judge by $50. Motion was seconded by Councilmember O’Neill and carried unanimously. Motion to increase the City Attorney monthly retainer by $100 was made by Mayor Pro-Tem Sitka. Second was made by Councilmember Goodrich and motion carried unanimously.

There being no further business, the meeting adjourned at 8:12 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAUM
TEXAS
March 12, 2019  
Conference Room – 6:00 PM  
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodríguez ........................................... Mayor  
Elorine Sitka .................................................. Mayor Pro-Tem  
Billy Goodrich ................................................ Councilmember  
Timothy L. McCoy ............................................. Councilmember  
Carl O’Neill ........................................................ Councilmember  
Kevin M. Coleman ............................................. City Manager  
Kenneth E. Kvinta .............................................. City Attorney  
Theresa A. Bowe ................................................ City Clerk

ABSENT: None

MAYOR Rodríguez called the meeting to order and Councilmember O’Neill gave the invocation. The pledge of allegiance was recited by all in attendance. Visitors were acknowledged and welcome.

MOTION by Mayor Pro-Tem Sitka to adopt the minutes of February 12, 2019 as presented. Second was made by Councilmember O’Neill; motion carried unanimously.

COUNCIL consider a request from the property owner to close an unutilized utility easement. After review and discussion, Councilmember McCoy made a motion to abandon a utility easement recorded in Lavaca County Deed Records Vol. 250, Page 489 on property described as 93.53 acres in Abstract 44 of the Patrick Ryan Addition (404 Airport Road/Property owner Eddy Packing Company). Motion was seconded by Councilmember Goodrich and carried unanimously.

MAYOR Rodríguez opened a public hearing to receive citizen comments and consider rescinding a Specific Use Permit for the placement of a mobile home on property described as Lots 1-2 of Block 1158 in the JX May Addition (for location reference only: 212 Davidson Street). City Manager Coleman provided information regarding the property. The property has been vacant since July of 2018. Property representatives were present to receive details on the property and receive information regarding Council direction. After discussion, the public hearing was closed.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2153) on emergency reading rescinding Ordinance No. 1300 providing for a Specific Use Permit for the placement of a mobile home on property described as Lots 1-2 of Block 1158 in the JX May Addition as shown on the official Tax Roll. Second was made by Councilmember O’Neill and motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt a resolution (recorded as No. 2019-08) accepting a Certificate of Unopposed Candidates, cancelling the May 4, 2019 City of Yoakum General Election, and declaring each unopposed candidate elected to office for City Council Places 1, 2, & 3. Motion was seconded by Councilmember O’Neill and carried unanimously.

MOTION by Councilmember O’Neill to adopt a resolution (recorded as No. 2019-09) approving revisions to the City of Yoakum Manual of Fees and Service Charges, specifically Library Fees and Fines. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.
AFTER review, Councilmember McCoy made a motion authorize the charge-off of listed Library fees and fines as presented. Second was made by Councilmember O'Neill; motion carried unanimously.

MOTION by Councilmember Goodrich made a motion to adopt revisions to the City of Yoakum Policy Manual, specifically dictating the mileage reimbursement rate to be consistent with the Internal Revenue Service current rate at the time of the travel. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an updated City of Yoakum Pool Crisis Management Plan as amended. Second was made by Councilmember Goodrich and motion carried unanimously.

REVIEW was held of a request from the Yoakum Area Chamber of Commerce for street closures and no parking designations for the Annual Tom Tom Festival. After review and discussion, Mayor Pro-Tem Sitka made a motion to approve the request for the closure of certain streets, utilization of City property, and to authorize "No Parking" designations on the portion of Davis Avenue between Volentine Street and S. Park Road on Friday, May 31st through Saturday, June 1st, 2019 in coordination with the 91st Annual Tom Tom Festival. Motion was seconded by Councilmember Goodrich and carried unanimously.

COUNCILMEMBER McCoy made a motion to appoint Phyllis Lauer to the Carl & Mary Welhausen Library Board to fill an un-expired term. Motion was seconded by Councilmember O'Neill and carried unanimously.

MOTION by Councilmember O'Neill to authorize the City Manager to advertise for Requests for Proposals for architectural services to develop plans for enhanced Police and City hall administration space. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to proclaim the month of April 2019 as Fair Housing Month. Motion was seconded by Councilmember Goodrich and carried unanimously.

UNDER the City Manager's report, City Manager Coleman provided information on the upcoming clean-up program scheduled for the first week in April. Letters to local civic groups will be distributed to encourage right-of-way pickup. Council was reminded of the upcoming bi-annual Joint City Council/YEDC meeting scheduled for April 16, 2019 at 5:00 PM. Mayor Rodriguez requested Council recommendations for agenda topics. Council was invited to the Annual Friends of the Library luncheon scheduled for Monday, April 8, 2019 from 11:00 AM to 1:00 PM at the Yoakum Community Center. City projects were reviewed: staff is finalizing the report too FEMA regarding the reimbursement for the Library damages from Hurricane Harvey. Staff will be putting together a request for proposal for a contract for past due account collection. The Lower Colorado River Authority will be sending a group to work on a community improvement project in April. Information was presented on the City of Yoakum Police Department Racial Profiling Report previously submitted to Council: the number of stops is up from last year which may be a net effect of having new officers on duty. Information was presented to Council regarding the restructure of the Street Department and the creation of a position for an Assistant Street/Solid Waste Superintendent. Shane Flessner has been promoted to that position in anticipation of the Street Superintendent's retirement plans. Training has begun and is moving along well. The auditors will be finalizing details on the Fiscal Year 2018 audit and plan to present the report at the May 2019 Council meeting. Information was presented on the Planning and Zoning Commission efforts on the Central Business
District proposed changes. Public input has been received and the Commission has requested staff to invite additional input from property owners directly affected by the proposed changes. Short survey forms will be sent out and direct contact will be made with property owners that do not respond to the request by mail. Revisions to the Code of Ordinances for fence restrictions will be brought to the Council in April. Requests for Qualifications for the Downtown Revitalization (sidewalk) Project have been sent out and information will also be presented in April. Demolition projects being monitored by the Council were reviewed. Work has stopped on Clark Street and staff will be rebidding the project to contractors. Staff intends to bring recommendations for the Fiscal Year 2019 Street Improvement Project to Council in April.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 6:55 PM to consult with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), and to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 7:10 PM with no action resulting from Executive Session.

There being no further business, the meeting adjourned at 7:10 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
April 9, 2019
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ..................................................... Mayor
          Elorine Sitka ............................................................ Mayor Pro-Tem
          Timothy L. McCoy ...................................................... Councilmember
          Carl O’Neill ............................................................. Councilmember
          Kevin M. Coleman ..................................................... City Manager
          Kenneth E. Kvinta ........................................................ City Attorney
          Theresa A. Bowe .......................................................... City Clerk

ABSENT:  Billy Goodrich ....................................................... Councilmember

MAYOR Rodríguez called the meeting to order and Councilmember McCoy gave the invocation. The pledge of allegiance was recited by all in attendance. Visitors were acknowledged and welcomed.

COUNCIL presented a plaque of appreciation to outgoing Councilmember Tim McCoy for his 10 years of dedicated service on the City Council.

MOTION by Councilmember O’Neill to adopt the minutes of March 12, 2019 as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2019-10) suspending a proposed rate increase requested from Texas Gas Service Company, A division of ONE Gas, Inc. for a 45 day period. Second was made by Councilmember McCoy and motion carried unanimously.

REVIEW was held of Requests for Proposals for administration services for a Downtown Revitalization grant through the Texas Department of Agriculture. Two submissions were received from Esser and Company and Langford and Associates. Committee members reviewed the proposals and scored the submissions based on criteria outlined by the State and made a recommendation to award the contract to Esser and Company. Councilmember McCoy made a motion to award a contract for administration services for a 2019/2020 Texas Capital Fund Downtown Revitalization/Main Street Program through the Texas Department of Agriculture’s Texas Community Development Block Grant (TxCDBG) Program. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

INFORMATION was presented on streets to be included in the annual Street Improvement Project. Budgeted funds were reviewed and cost estimates were provided. After review and discussion, Mayor Pro-Tem Sitka made a motion to approve the streets to be included in the 2019 Street Improvement Project and authorize the City Manager to advertise for seal coat bids. Councilmember McCoy seconded the motion. Motion carried unanimously.

MOTION by Councilmember O’Neill to adopt an ordinance (recorded as No. 2154) on first reading prohibiting through truck traffic on Hickey Street from Gaetner Street to the City limits. Second was made by Councilmember McCoy and motion carried unanimously.
COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 2155) on first reading amending the City of Yoakum Code of Ordinances specifically Chapter 10. Buildings and Standards, Article II. Additional Local Requirements, Division 1. Generally, Sec. 10-37 Barbed Wire Fences as amended to indicate 50% of area enclosed. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2156) on emergency reading temporarily suspending Sec. 18-46 Open Fires of the City of Yoakum Code of Ordinances to allow burning of brush at the City of Yoakum Transfer Station as permitted by the Texas Commission on Environmental Quality. Second was made by Councilmember O’Neill and motion carried unanimously.

COUNCILMEMBER McCoy made a motion to appoint Evelyn Miculka and Tita Mercer to the Yoakum Housing Authority Board of Commissioners and Zephela Mathis as Resident Commissioner for two-year terms. Motion was seconded by Councilmember O’Neill and carried unanimously.

CITY Manager Coleman provided information regarding above budget sales tax revenues received. The City is seeing a 7% increase from last year’s numbers. Staff is requesting the over-budget revenues to be allocated to needed projects including code enforcement activities, zoning issue mail outs, Fire Department building upgrades – antennae replacement, computers for the Police Department, upgrades to the light bars for patrol vehicles, repairs to the Library from Hurricane Harvey that had been deferred including exterior painting, and Christmas lighting. Consensus of the Council was to proceed with the projects as presented.

MAYOR Pro-Tem Sitka made a motion to proclaim the month of May 2019 as Yoakum Business Appreciation Month. Second was made by Councilmember McCoy and motion carried unanimously. Council was reminded of the YEDC Business Appreciation Luncheon scheduled for May 1st.

COUNCILMEMBER McCoy made a motion to proclaim the month of May 2019 as Preservation Month in honor of National Historic Preservation Month. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to proclaim indicated weeks in acknowledgement of Public Library Week, Telecommunications Operator Week, Administrative Professionals Week, Municipal Clerks Week, Police Officer Week, Emergency Medical Services Week, Public Works Week, Economic Development Week, and Animal Services Week. Councilmember McCoy seconded the motion. Motion carried unanimously.

UNDER the City Manager’s report, City Manager Coleman reminded Council of the Joint Council/YEDC meeting scheduled for April 16, 2019 at 5:00 PM, and the Yoakum Fire Department Annual appreciation fish fry scheduled for April 12, 2019. Information was presented regarding FEMA funding for repairs to the Library from Hurricane Harvey; funding is still pending. Staff is working through FEMA grants to possibly fund generators for the Fire Department and Brushy Creek Water Plant, as well as lightening arrestors. Staff is continuing to work through potential projects that may be allowed for funding through the General Land Office Hurricane Harvey Relief Funds. The Fire Department emergency communication antennae has been temporarily disassembled by the Texas Department of Transportation. The City was allowed to place the antennae on the tower in a cooperative effort between the City and the State. The need to replace the tower required the antennae to be removed during construction and will be replaced as soon as the new tower is constructed. The concrete repair project on North South Street has been scheduled for April 13-15,
2019 and will require that the street be closed during that time period. The culverts will be replaced and delineators will be placed at the end of the two pipes. Council was made aware of the renewal of the Code Red services contract executed in partnership with DeWitt County for emergency communication services for residents. City facilities will close at 12:00 noon on Friday, April 19, 2019 in observance of Good Friday. Results of the survey of the property owners affected by the proposed Downtown Zoning changes submitted by the Planning and Zoning Commission will be completed by the end of the current week. All demolition orders are out to bidders. Timelines will be completed by May 10th and staff continues to work through the projects. The Building and Standards Commission will meet April 22, 2019. A summary of the volume collected during the Bi-Annual Clean-Up Program were presented for review. Additional community projects were reviewed for participation by local businesses.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 6:40 PM to consult with the City Attorney on pending litigation — Case No. 5:18-cv-1303 — Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071), and to discuss an electric utility related matter regarding future rates (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 7:20 PM. Action resulting from Executive Session: motion by Mayor Pro-Tem Sitka to adopt an Agenda Procedure Policy as presented. Second was made by Councilmember O'Neill and motion carried unanimously.

There being no further business, the meeting adjourned at 7:21 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
April 16, 2019
Conference Room – 5:00 PM
City Hall

JOINT MEETING OF THE CITY COUNCIL and
YOAKUM ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

PRESENT:  
Anita R. Rodriguez .................................................. Mayor/YEDC Vice-President
Elorine Sitka ............................................................... Mayor Pro-Tem/YEDC Member
Billy Goodrich ............................................................ Councilmember
Carl O’Neill ................................................................. Councilmember
Gery B. Maneth ............................................................ YEDC President
Arthur Hermann ............................................................ YEDC Secretary
Tommy Barre .............................................................. YEDC Director
Whitney Boone ............................................................ YEDC Director
Zenith Stevens ............................................................. YEDC Director
Kevin M. Coleman ....................................................... City Manager
Kenneth E. Kvinta ......................................................... City Attorney
Theresa A. Bowe ........................................................... City Clerk
Chuck Dart ................................................................. Dir. Of Economic Development

ABSENT:  
Timothy L. McCoy ...................................................... Councilmember

MAYOR Rodriguez called the meeting to order at 5:25 PM. Visitors were acknowledged and welcomed.

COUNCIL considered action on a resolution in support of a proposed assisted living facility within the boundaries of Lavaca County. A letter was received from James Fenner of the Lavaca County Medical Center requesting Council support of the funding for the proposed facility. After discussion, Councilmember O’Neill made a motion to adopt a resolution (recorded as No. 2019-11) in support of an Assisted Living Facility to be constructed by the Lavaca County Hospital District. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Rodriguez offered the meeting to President Maneth. President Maneth proceeded with a review of YEDC projects. DED Dart presented a report on pending grants. The most recent grant approvals were presented along with an updated budget. Details were reviewed for certain grants including Yoakum Partners DBA Handy Stop Grocery.

STATUS of the Yoakum Commercial Historic District project was presented. The National Register District project has been in process for two years. The presentation was reviewed by the State Historic Commission in January. Minor changes were recommended by the State. The next step will be to send the proposal to the National Park Service. If approved, the NPS will notify the Historic Commission of approval or denial. The review by the NPS is usually a 45 day process.

INFORMATION was presented on the wayfinding sign project. These signs would be installed to provide details for visitors on the location of points of interest in Yoakum. A committee was appointed and reviewed the compilation of the destinations, prioritized, and reduced the number from 31 down to 10. Wayfinding signs are not allowed outside the City limits based on Texas Department of Transportation guidelines. Staff will be taking the proposal to the Hotel Occupancy Tax Board for funding consideration at a later date.
MAYOR Rodriguez moved on to the next agenda item to review current Council projects. Information was presented on the Eddy Packing Company wastewater treatment improvement project. The company is under new management who is looking into other less expensive alternatives to the initial proposed project. Currently, 1/3 of Eddy Packing’s wastewater flows through the City’s wastewater treatment facility. The other 2/3’s is still being irrigated onto the property. Staff will continue to communicate in an attempt to assist the company with the wastewater needs in compliance with Texas Commission on Environmental Quality regulations.

COUNCIL has passed an ordinance on first reading amending the fence ordinance to provide more detailed guidelines for Code Enforcement Officers to provide for citizens. The revised ordinance clarifies the types of material that is allowed to create a fence, addresses visibility issues, and requires any fence over 6’ in height to apply for a permit. Existing fences are grandfathered until replacement or certain degrees of repair are necessary.

A Downtown Revitalization Program grant through the Texas Department of Agriculture will be applied for. Staff is taking steps to initiate the project. A grant administrator has been hired. The project will provide construction assistance to expand the sidewalk improvements in the downtown area and assist with Americans With Disabilities Act compliance. The City can score higher in the rating process by offering a higher than required match for funding. Feedback will be received from the grant administrator and a plan will be brought to Council for review and consideration.

CITY facilities damaged by Hurricane Harvey are still under FEMA review for funding. Three other sets of funding possibilities have been offered through Harvey Relief Funds. Staff will be working through additional projects that may fall into compliance for use of those funds. The funds are to be utilized to prepare the City for future catastrophic events and to improve systems that failed during Hurricane Harvey.

FUTURE focus on retail development was discussed. Discussion was held regarding the HEB complex and possible expansion or utilization of the existing space. Ideas regarding strip centers, location of new business, and the types of retail that could be attracted were presented. Information was presented on the signing of a lease agreement for the vacant portion of the Stanley Center. The restaurant planned for that location delayed opening, however is still planned. Encouragement of micro-breweries and/or pubs were discussed.

INDUSTRIAL recruitment was reviewed. Staff indicated that research has been done to find an industrial provider and issues of providing housing for the employees was discussed. The approach to industrial users may need to be reviewed and adjusted to encourage relocation. Discussion was held regarding structures inside the City limits that need to be considered for demolition and the possibility of utilizing those spaces for development of additional housing.

QUALITY of life issues were discussed. Information was provided on the renovations to the City Park, specifically the batting cages. Restrooms at the Parks are in need of upgrading. Consideration of relocating the Girls Softball field closer to the High School was mentioned. Additional Park improvements were discussed including opening Southwell Street between the large playground and the Municipal Swimming Pool to encourage use and ease of ingress and egress between those facilities, and the possibility of a youth sports complex for baseball and softball fields. Suggestion was made to talk with the Parks & Recreation Committee for additional considerations and prioritize quality of life improvements.

ZONING information was presented. Discussion was held regarding the zoning changes proposed by the Planning and Zoning Commission in the downtown area. The current proposal
changes current Commercial (C-2) property to a Central Business District, and current Industrial (I) properties to a Commercial (C-2) District. The Planning and Zoning Commission has been working on the project since August of 2018. Details were reviewed. Businesses currently operating in the downtown area will be allowed to continue to function. Only when a business was inoperative for a six-month period would the zoning convert to the new district guidelines. Continued research will be held and additional information presented to Council at a later date.

THE next joint meeting was tentatively scheduled for October 22, 2019 at 5:00 PM.

THERE being no further business, the meeting adjourned at 7:00 PM

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez ................................................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Billy Goodrich ................................................................. Councilmember
Glenn Klander ................................................................. Councilmember
Carl O'Neill ............................................................... Councilmember
Kevin M. Coleman .......................................................... City Manager
Kenneth E. Kvinta .......................................................... City Attorney
Theresa A. Bowe .............................................................. City Clerk

ABSENT: None

MAYOR Rodríguez called the meeting to order and gave the invocation. The pledge of allegiance was recited by all in attendance.

MAYOR Rodríguez presented Certificates of Election to Councilmembers O'Neill and Klander. Mayor Pro-Term Sitka presented a Certificate of Election to Mayor Rodríguez. City Clerk Bowe administered the Statements of Elected Officers and Oaths of Office to each.

MAYOR Pro-Term Sitka made a motion to elect Anita R. Rodríguez as Mayor. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to elect Elorine Sitka as Mayor Pro-Term. Second was made by Councilmember Klander; motion carried unanimously.

Visitors were acknowledged and welcomed. Chris Moore was introduced as the newest EMT with the City of Yoakum Fire Department. Council welcomed him to the team.

MOTION by Mayor Pro-Term Sitka to adopt the minutes from the meetings of April 9 and April 16, 2019 as presented. Second was made by Councilmember O'Neill; motion carried unanimously.

MOTION by Councilmember O'Neill to adopt an ordinance (recorded as No. 2154) on second and final reading prohibiting through truck traffic on Hickey Street from Gaetner Street to the City limits as amended. Second was made by Mayor Pro-Term Sitka and motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to adopt an ordinance (recorded as No. 2155) on second and final reading amending the City of Yoakum Code of Ordinances specifically Chapter 10. Buildings and Standards, Article II. Additional Local Requirements, Division 1. Generally, Sec. 10-37 Barbed Wire Fences as amended to indicate 50% of area enclosed. Motion was seconded by Mayor Pro-Term Sitka and carried unanimously.

INFORMATION was presented regarding a grant submission to the Yoakum Economic Development Corporation Board of Directors from Yoakum Partners, Inc. (Handy Stop Grocery). The funding will be to assist with the relocation of the fuel facility at 425 E. Morris Street. Clawback provisions and stipulations were reviewed. After discussion, Councilmember O'Neill made a motion to adopt a resolution on first reading approving funding of a project proposed by Yoakum Partners,
Inc. to the Yoakum Economic Development Corporation Board of Directors in the amount of $30,000. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt revisions to the City of Yoakum Personnel Manual regarding guidelines as they pertain to the Family and Medical Leave. Second was made by Councilmember Goodrich; motion carried unanimously.

REVIEW was held of the revised project list that may be eligible for funding for awarded Hurricane Harvey Recovery funds through the Texas General Land Office. The grant was received by high impact counties affected by Hurricane Harvey. Funding is through the Texas Community Development Block Grant Program and being coordinated through the Texas General Land Office. Additional engineering fees that may not be covered by grant funds were outlined by an estimate from TRC Engineers. Discussion was held regarding the engineering for the generator that should already be completed by the manufacturer; staff will follow-up. After review and discussion, Councilmember O’Neill made a motion to approve the projects as presented. Second was made by Councilmember Klander. Motion carried unanimously.

INFORMATION was presented regarding the Fall 2018 Seal Coat Project and payment to the contractor for work completed. The contractor has some remaining work to be completed on the project prior to staff recommending full compensation. The contract for the project is in the amount of $109,000; the City has currently paid out approximately $60,000 on the original contract. Staff recommends retaining a portion until the project is complete. Motion by Mayor Pro-Tem Sitka to approve a payment in the amount of $38,191.62 and hold $10,910.18 as retainage. Second was made by Councilmember O’Neill; motion carried unanimously.

DISCUSSION was held regarding a proposed policy to establish guidelines for solar panels to be connected to structures utilizing City utilities. The primary focus of the policy is to protect the City’s electrical system. The policy will ensure that the systems will be installed by trained professionals, how customers will be compensated for electricity fed back into the City’s system, ensures that the customer is aware that installation and all other costs will be the responsibility of the customer including labor provided by the City, and provides for an annual agreement with inspections held each year. After presentation, Mayor Pro-Tem Sitka made a motion to adopt a Distributed Generation Interconnection Policy as discussed and amended. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to appoint Kim Taylor, Layne Brandt and Carl O’Neill to the Hotel Occupancy Tax Advisory Board for two-year terms. Second was made by Councilmember Klander; motion carried unanimously.

APPOINTMENT to the Zoning Board of Adjustment and Appeals to fill an unexpired three-year term was tabled for a future meeting.

COUNCILMEMBER O’Neill made a motion authorizing the City Manager to advertise for bids for tree trimming services in City right-of-ways. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Mayor Pro-Tem Sitka to authorize the City Manager to execute an agreement with Dawson’s Recycling and Disposal of Gregory, Texas for Brush Grinding Services and rescind a previously approved agreement with Texas Disposal Systems. Second was made by Councilmember Goodrich and motion carried unanimously.
COUNCILMEMBER O’Neill made a motion to authorize the Yoakum Independent School District to utilize the City Municipal Park and other City property for a Cross Country meet to be held on August 24, 2019. Motion was seconded by Councilmember Klander and carried unanimously.

A grant has been received through the Golden Crescent Regional Planning Commission funded by the Texas Commission on Environmental Quality in the amount of $20,000 to fund a household waste disposal event. The event has been planned for June 8th should Council approve. Motion by Councilmember Goodrich to authorize the City Manager to execute a Household Hazardous Waste Disposal Contract with Stericycle Environmental Solutions of Houston, Texas. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to approve a request for the closure of certain streets in coordination with the Library Summer Reading Program scheduled for July 24, 2019 at 810 Front Street as presented. Second was made by Councilmember Klander; motion carried unanimously.

COUNCILMEMBER O’Neill made a motion to authorize the closure of certain streets in coordination with the Memorial Day Service to be held at the City of Yoakum Fire Station located at 203 Nelson Street. Motion was seconded by Councilmember Goodrich and carried unanimously.

UNDER the City Manager’s report, Council was provided an opportunity to review the outcome of the Joint Council/YEDC meeting held on April 16, 2019; no comments were received. Council was reminded of the Memorial Day Services to be held at the Yoakum Fire Station located at 203 Nelson Street on May 27, 2019 beginning at 10:00 AM and of the Tom Tom Parade and activities scheduled for May 31st through June 1st. Information was presented regarding the Library Summer Reading Program schedule. Staff is sending out Request for Proposals to collection agencies to provide services for the EMS, court, and utility delinquent accounts. Staff is also sending out Requests for Qualifications for engineering services for the downtown sidewalk project and for architectural services for the Police Department and City Hall facilities. A budget assistant has been hired and preliminary employment testing is being completed. Staff continues to interview for the Purchasing Agent position. Eddy Packing, Inc. is planning to dredge out the lagoon systems on Friday and Saturday of this week; staff has reminded the company that the products of that lagoon will not be allowed to flow through the City’s sanitary sewer system. The antennae replacement project for the Fire Department is still being worked through. The temporary system is being utilized without interruption at this time. The Quarterly Investment Report was presented for review. Staff anticipates the audit being presented at the June 2019 meeting. City facilities will be closed in observance of Memorial Day on May 27, 2019. The Municipal Swimming Pool schedule was provided for review. Funding approved through the Hotel Occupancy Tax Advisory Board for Tom Tom billboard advertising was presented for review. The Requests for Proposals for Collection Services, the Requests for Qualifications for Engineering Services, and Requests for Proposal for Architectural Services will be presented at June’s meeting. Recommendations from the Planning and Zoning Commission will be presented at the June meeting. Demolition order were reviewed: Ms. Hopkins at 1105 Dunn Street had been ordered to remove the structure from the property. The structure has been sold and is prepared to move. The trailer on 307 Clark Street owned by Mr. Hall has been removed, however, remaining property needs to be brought to standards and the Building and Standards Commission has granted him 30 additional days to comply. The 2018 Audit may be received as early as June. The City’s Drought Contingency Plan and the Water Conservation Plan will be brought to Council for review in the near future, as well as a Hazardous Communication Policy. Upcoming appointments to City appointed boards were provided for review.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:05 PM to consult with the City Attorney on pending litigation — Case No. 5:18-cv-1303 — Karissa Johnson
(V.T.C.A., Gov. Code, Sec. 551.071), and to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 7:25 PM with no action resulting from Executive Session.

There being no further business, the meeting adjourned at 7:25 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

[Seal]
June 11, 2019
Conference Room – 5:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez ........................................ Mayor
Eiorine Sitka .................................................. Mayor Pro-Tem
Billy Goodrich ................................................ Councilmember
Timothy L. McCoy ........................................ Councilmember
Carl O’Neill .................................................. Councilmember
Kevin M. Coleman ........................................ City Manager
Kenneth E. Kvinta ........................................ City Attorney
Theresa A. Bowe .......................................... City Clerk

ABSENT: None

MAYOR Rodríguez called the meeting to order and opened the meeting to the public
at 5:00 PM.

STEVE Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide
information regarding the Annual Financial Audit Report for Fiscal Year ending September 30,
2019. A letter of assurance from the firm was provided, asserting that the information in the audit
report is accurate, and a “clean” or “un-qualified” opinion indicating that the City is in good
standing. Information was presented and reviewed in detail. Mr. Van Mannen informed the
Council of the City’s Texas Municipal Retirement Account being 87% funding which is an
exceptional accomplishment. After discussion and review, Mayor Pro-Tem Sitka made a motion
to accept the Fiscal Year 2018 Audit Report as presented. Councilmember Goodrich seconded
the motion; motion carried unanimously.

Council reviewed information presented from City Manager Coleman regarding the need to
transfer Fiscal Year 2018 Utility Net Revenue funds Capital Reserve Accounts. Due to an increase in the
2018 expenses and the requirement to maintain a minimum of 25% in reserve, the amount needed to
meet reserves has increased this year. Details were reviewed and discussed. After discussion,
Councilmember O’Neill made a motion to allocate Fiscal Year 2018 Utility Net Revenue funds in the
amount of $405,073 to Capital Reserve Accounts as presented. Second was made by Councilmember
Klander and carried unanimously.

There being no further business, the meeting adjourned at 5:41 PM.

Anita R. Rodríguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................................. Mayor
         Elorine Sitka .................................................. Mayor Pro-Tem
         Billy Goodrich ............................................... Councilmember
         Glenn Klander ................................................ Councilmember
         Carl O'Neill ................................................... Councilmember
         Kevin M. Coleman ........................................... City Manager
         Kenneth E. Kvinta ............................................ City Attorney
         Theresa A. Bowe ............................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order and Mayor Pro-Tem Sitka gave the invocation. The pledge of allegiance was recited by all in attendance.

Visitors were acknowledged and welcomed.

MOTION by Councilmember O'Neill to adopt the minutes from the meeting of May 14, 2019 as presented. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Pro-Tem Sitka made motion to adopt a resolution (recorded as No. 2019-12) on the second and final reading approving a project proposed by Yoakum Partners, Inc. (Handy Stop Grocery) located at 425 E. Morris Street to the Yoakum Economic Development Corporation in the amount of $30,000. Second was made by Councilmember Goodrich; motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments and receive a recommendation from the Planning and Zoning Commission to approve a zoning change from Industrial to Commercial (C-2) on lots located on property described as Lots 4-11 of Block 1077 in the Jakubik Addition, Lots 1-4 of Block 1046, Lots 1-6 of Block 1001, the unplatted property on the east side of Front Street bounded by West Street, S. South Street and W. Hochheim Street, Lots 1-6 of Block 1002, Lots 1-6 of Block 1003, the unplatted property across Front Street bounded by W. Hugo Street, and Lots 1-6 of Block 1005, Lots 1-6 of Block 1006 and Lots 1-12 of Block 1007 all in the Yoakum Townsite, and the unplatted property on the east side of Front Street bounded by an extended line between W. Grand Avenue and E. Grand Avenue, S. South Street/N. South Street and an extended line from Hopkins Street to Waco Street in the City of Yoakum, DeWitt County and Lavaca County, Texas. Mr. Glen Kusak was present and provided statements. Mr. Kusak indicated that he greatly appreciates the job that the City Council does and asked that they keep an open mind to the industry that may be attracted to Yoakum due to the close proximity of the railroad to the downtown area. He also asked that the Council keep an open mind to the businesses that are currently in the downtown area and reminded the Council that duplicating some of the businesses downtown would be costly and it would be detrimental to Yoakum to lose the existing businesses which strong history in the City. Hearing no further comments, the Public Hearing closed.

COUNCIL held deliberations regarding a proposed ordinance to approve a Change in Zoning from Industrial (I) to Commercial (C-2) relating to the public hearing. Questions were posed regarding the difference between an Industrial zoned area and a Commercial (C-2) area. Industrial
zones allow the manufacturing of raw goods into finished goods; Commercial (C-2) would not allow manufacturing. The change would not affect any current business in the downtown area. After discussion, Councilmember O'Neill made a motion to adopt an ordinance on first reading approving a Change in Zoning from Industrial (I) to Commercial (C-2) as presented. The motion failed for lack of a second.

MOTION by Councilmember Klander to award a contract for engineering services for the Texas Community Development Block Grant funds through the Texas Department of Agriculture to TRC, Inc. of Austin, Texas. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

RESPONDENTS were reviewed for the collection of delinquent accounts contract. After discussion, Councilmember Goodrich made a motion to award a contract for the collection of delinquent Utility, EMS, and Court accounts to Linebarger Attorneys at Law of Victoria, Texas. Motion was seconded by Councilmember O’Neill and motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to execute a Rerate Notice and Benefit Verification with the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool and any corresponding agreements. Motion was seconded by Councilmember Klander and carried unanimously.

COUNCIL received a recommendation from the Hotel Occupancy Tax Advisory Board for the commitment of funds for wayfinding signage to local points of interest. The Board approved committing one half the $32,000 estimated cost for an amount not to exceed $16,000 contingent upon commitments for funding the remaining one half from the Yoakum Area Chamber of Commerce and the Yoakum Economic Development Corporation. After discussion, Mayor Pro-Tem Sitka made a motion to approve the recommendation as presented and authorize the City Manager to advertise for bids for the wayfinding signs for local points of interest. Second was made by Councilmember Goodrich; motion carried unanimously.

INFORMATION was provided regarding a recent bill modifying the residential building permit fee structure. House Bill 852 dictates that entities are no longer allowed to base permit fees according to the cost of construction. Staff will be working through recommendations on a new fee structure. Currently, staff recommended to continue utilizing the current fee structure and once a new fee schedule is developed, refund any over payment back to the customer. Consensus of the Council was to move forward as discussed.

MOTION by Councilmember O’Neill to adopt a resolution (recorded as No. 2019-13) authorizing the submission of a Community Development & Revitalization Infrastructure project application to the Texas General Land Office for funding consideration. Second was made by Councilmember Klander; motion carried unanimously.

COUNCILMEMBER Klander made a motion to appoint the following to respective Boards: 1) Planning and Zoning Commission for three year terms - Eddy Varela, Jr., and Blaise Drietner; Alternate for the Building and Standards Commission for two year term - Eddie Varela, Sr. to fill an unexpired term ending in June 2020; Construction Board of Adjustment and Appeals for three year terms - Dr. Sandra Bergey and Eddy Varela, Jr.; Yoakum Heritage Museum Council Representative for a one year term - Eloine Sitka; Parks and Recreation Advisory Board for two year terms – Lindsey Lacina, Dennis Kutach and Carl O’Neill; Library Board for two year terms - Betty Borchers, Malissa Williams, and Terri Dieringer.
UNDER the City Manager's report, Council was informed of plans for the 2nd Annual Yoakum Birthday Bash scheduled for July 27, 2019 to be held at the Yoakum Community Center; a Household Hazardous Waste Collection event was held on June 8th. Staff was anticipating roughly 100 customers to take advantage of the service; thirty-nine was the final count for the day. The City anticipates applying for funding during next year's cycle and will attempt to increase the outreach. The budget process will begin in early July and workshop schedules will be coordinated with Council. The Fire Department antennae replacement project is roughly 95% complete. The Texas Department of Transportation continues to monitor the contractor progress and the Yoakum Fire Department is still utilizing the temporary antennae as of this date. Ten architect proposals have been received and will be reviewed by staff. City Manager Coleman asked to receive input from a committee of Councilmembers to review once staff has narrowed the selections to the best four. Council members Goodrich and O'Neill agreed to assist once the finalists were selected by staff. Final approval will be requested from Council at the August Council meeting. The LED street light replacement project was reviewed and a map indicating locations was provided. Areas now lit by LED lighting are much brighter and the process will continue until all street lights are LED. City facilities will be closed Thursday, July 4, 2019 in observance of Independence Day. Amendments to the 2018-2019 Fiscal Year Budget will be provided for consideration at the July meeting. Review of the Tree Trimming Project bids and the Street Improvement Project bids will be held at the July meeting, as well. Council complimented the Yoakum Area Chamber of Commerce for a successful Tom Tom Festival.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 6:45 PM to consult with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), and to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 6:55 PM with no action resulting from Executive Session.

There being no further business, the meeting adjourned at 6:55 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
July 9, 2019
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez ........................................ Mayor
         Elorine Sitka .............................................. Mayor Pro-Tem
         Glenn Klander ............................................ Councilmember
         Carl O’Neill ................................................ Councilmember
         Kevin M. Coleman ....................................... City Manager
         Kenneth E. Kvinta ........................................ City Attorney
         Theresa A. Bowe .......................................... City Clerk

ABSENT: Billy Goodrich ........................................ Councilmember

MAYOR Rodríguez called the meeting to order and Councilmember O’Neill gave the invocation. The pledge of allegiance was recited by all in attendance.

Visitors were acknowledged and welcomed. Claudette Foutz was introduced as the newest Telecommunications Operator and John Enriquez was introduced as the newest Police Officer both in the Police Department. Council welcomed them to the City of Yoakum team.

MOTION by Councilmember O’Neill to adopt the minutes from the Special Meeting and the Regular Meeting of June 11, 2019 as presented. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to approve a request for the closure of certain streets in coordination with the Jack-O-Lantern Jog sponsored by the St. Joseph Catholic School scheduled for October 26, 2019 as presented. Motion was seconded by Councilmember O’Neill and carried unanimously.

BIDS for the 2019 Street Improvement Project were reviewed. After discussion, Councilmember Klander made a motion to award the project to H&C Construction Co. Inc. of Shiner, Texas in an amount not to exceed $91,670. Second was made by Councilmember O’Neill and motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to award the 2019 Tree Trimming/Right-of-Way Clearing Project to Thomas construction, Co. of Yoakum, Texas and authorized the City Manager to negotiate a revised contract for an amount not to exceed $30,000 to include the highest priority areas for completion. Motion was seconded by Councilmember O’Neill and carried unanimously.

COUNCILMEMBER Klander made a motion to authorize a temporary amendment to the Solid Waste Transfer Station hours of operation to close from 11:30 AM to 1:00 PM Monday through Friday effective July 15, 2019 to ensure appropriate lunch breaks for staff. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MOTION by Councilmember O’Neill to authorize the City Manager to advertise for bids for power washing services and exterior painting of the Carl & Mary Welhausen Library. Councilmember Klander seconded the motion. Motion carried unanimously.
COUNCILMEMBER O'Neil made a motion to approve amendments to the Yoakum Economic Development Corporation 2108-2019 Fiscal Year Budget as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember O'Neil to adopt an ordinance on first reading amending Fiscal Year 2018-2019 Special Fund Budgets including Police, Fire, Library, Parks, Hotel Tax Funds, and Airport Special Funds as presented. Second was made by Councilmember Klander; motion carried unanimously.

QUESTIONS were posed and addressed regarding presented amendments to the 2018-2019 General and Utility Fund budgets. Discussion was held regarding the four major expenses that needed to be covered including overtime in the Police and Fire Departments, Transfer Station expenses and offsetting revenues, Parks Department budget adjustments needed, and additional funding for street and right-of-way clearing costs. Additional discussion was held regarding Utility Administration budget to show the vacancy savings and information presented for the Water, Wastewater, Finance, and Mechanic Shop budgets. After discussion, Councilmember O'Neil made a motion to adopt an ordinance on first reading amending the Fiscal Year 2018-2019 General and Utility Fund Budgets as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER Klander made a motion to authorize the City Manager to enter into an engagement letter for auditing services with Harrison, Waldrop & Uherek in an amount not to exceed $19,950. Second was made by Councilmember O'Neil and motion carried unanimously.

INFORMATION was presented regarding a potential Pay Plan Adjustment and cost of living increase to be included in the Fiscal Year 2019-2020 Budget. Review and discussion was held. Additional information will be presented at the August Council meeting for Council consideration.

REVIEW was held of the request from Eddy Packing, Inc. to release unutilized easements through property owned by the company. After review and discussion, Mayor Pro-Tem Sitka made a motion to authorize the release/abandonment of two City utility easements 1) recorded August 31, 1970 in Book 260, Page 379 in the real property records of Lavaca County, Texas, and 2) a portion of the easement consisting of the last 150 feet of the documented easement recorded April 18, 1969 in Book 254, Page 280 in the real property records of Lavaca County, Texas, as outlined on the presented plat contingent upon receiving a written commitment from Eddy Packing, Inc. to maintain the existing line that services the property. Motion was seconded by Councilmember O'Neil and carried unanimously.

MOTION by Councilmember O'Neil to adopt a resolution (recorded as No. 2019-14) authorizing the issuance of credit cards to certain City employees. Second was made by Councilmember Klander; motion carried unanimously.

INFORMATION was received from the Yoakum Area Chamber of Commerce represented by Dianne McCommas regarding a request for street closures for the Yoakum Birthday Celebration. After discussion, Councilmember Klander made a motion to approve a request from the Yoakum Area Chamber of Commerce for the closure of certain streets in coordination with the Yoakum Birthday Celebration scheduled for July 27, 2019 as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

UNDER the City Manager's report, Council was reminded of the 2nd Annual Yoakum Birthday Celebration scheduled for July 27, 2109. The Texas Municipal League Annual Conference is
scheduled for October 9 - 11, 2019 in San Antonio, Texas; registration begins July 23, 2019. The end of summer Reading Program at the Library is scheduled for July 27th; the Annual Golden Crescent Regional Planning Commission General Assembly is scheduled for August 22, 2019 with Senator Ted Cruz as the guest speaker. Final funding amount has been received from FEMA for the damage to the Library from Hurricane Harvey in the amount of $28,000 which is slightly less than submitted. Budget development timeline was discussed: Department Heads will be turning in budget worksheets by July 26th, meetings will be scheduled to review with each Department Head in preparation for presentation to Council at a Budget Workshop to be scheduled. The proposed tax rate and finalized budget will be presented for Council action at the September Council Meeting. Final reading of the tax rate ordinance and budget ordinance will be held at a special Council meeting to be scheduled in September. Staff will provide suggested dates to Council for consideration and set the dates appropriately. Information was presented on the Fire Department Antennae replacement project. Current information indicates that TxDOT representatives will release the tower for operation by the end of this week. Amendments to the Manual of Fees and Service Charges will be presented for consideration at the next Council meeting. Ten responses were received for the City Hall and Police Department Facilities architecture request for proposals. Councilmember O'Neill and Goodrich agreed to review the architectural candidates once staff has narrowed the search to five. Review and recommendations will be presented at a future Council meeting.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:06 PM to consult with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), to consult with the City Attorney on litigation regarding current a Code Enforcement issue at 704 Sheehan Street (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate the appointment, employment, evaluation, etc. of the City Manager (V.T.C.A., Gov. Code, Sec. 551.074). The meeting reopened to the public at 7:30 PM with the following action resulting from Executive Session: motion by mayor Pro-Tem Sitka to approve a 3.5% merit increase to the City Manager effective immediately. Second was made by Councilmember Klander and motion carried unanimously.

There being no further business, the meeting adjourned at 7:31 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
August 13, 2019
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................ Mayor
Billy Goodrich ....................................................... Councilmember
Glenn Klander ....................................................... Councilmember
Carl O’Neill .......................................................... Councilmember
Kevin M. Coleman ............................................... City Manager
Kenneth E. Kvinta ................................................ City Attorney
Theresa A. Bowe .................................................... City Clerk

ABSENT: Elorine Sitka ............................................... Mayor Pro-Tem

MAYOR Rodriguez called the meeting to order and Councilmember Goodrich gave the invocation. The pledge of allegiance was recited by all in attendance.

Visitors were acknowledged and welcomed. John McInturf was welcomed by the Council as the newest Police Officer in the Police Department.

MOTION by Councilmember O’Neill to adopt the minutes from the meeting of July 9, 2019 as presented. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on a request from Joe Wayne Buethe for the closure of a twenty foot (20’) alley located between Lots 5-7 of Block 1169 and Lots 10-12 if Block 1169 of the Nelson Addition with an opening on to Davis Avenue as shown on the official tax roll. Mr. Buethe was present to provide information and answer questions. He owns the lots on both sides of the alley. The closure of the alley will tie both properties on either side of the alley together. Discussion was held. Hearing no comments from the public, the public hearing closed.

MOTION by Councilmember Goodrich to adopt a resolution (recorded as No. 2019-15) closing a twenty foot (20’) alley located in Block 1169 in the Nelson Addition as shown on the official tax roll (for location reference only: Waco Street and Davis Avenue) as presented. Second was made by Councilmember O’Neill and motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the submission of a grant application to the Texas Department of Agriculture, Texas Community Development Block Grant Program (TxCDBG) associated with a downtown sidewalk revitalization project. A graphic from the engineers indicating the proposed sidewalk project was presented which outlined the area that should be able to be completed through the grant funding. Water lines located under the sidewalks throughout the project area were discussed. These will be relocated during the project. Hearing no comments from the public, the public hearing closed.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to hear an appeal of the demolition order of property located at 708 Lavaca Street. Domingo Ramirez representing the property owner was present to provide information and answer questions. Mr. Ramirez indicated that he was unaware of the previous issues with the property and intends to bring the home into compliance. Medical issues and shortage of funds have made
progress slow. Code Enforcement has been involved with the property since 2017, bringing the issue before the Building and Standards Commission in November of 2018, and filing through the Municipal Court in February of 2019 with no response from the property owner, Mary Jo Rosales. Details of repairs that need to be made were discussed. The representative indicated that the repairs will be made including completing the backside of the structure, installing the back door and securing the property. Council instructed the representative to maintain contact with the Code Enforcement Office and provide staff with a timeline and outline of work to be completed. After discussion, Councilmember O'Neill made a motion to suspend the demolition order and allow 45 days for the property to be brought into compliance. Review will be held at the October Council meeting to determine whether substantial improvements have been completed. Motion was seconded by Councilmember Goodrich and carried unanimously.

REVIEW was held of the bid received for the 2019 Carl & Mary Welhausen Library Power Washing Services and Exterior Painting Project. One bid was received from 54 Construction of Richwood, Texas which far exceeded allotted funds for the project. After discussion, motion was made by Councilmember Goodrich to reject all bids, reconfigure the scope of work, and re-advertise the project. Second was made by Councilmember Kander; motion carried unanimously.

MOTION by Councilmember O'Neill to award the contract for architectural services to develop plans for an enhanced City Hall and Police Department to TSG Architects of Gonzales, Texas in an amount not to exceed $29,820. Councilmember Kander seconded the motion. Motion carried unanimously.

COUNCILMEMBER Kander made a motion to award the contract for the Wayfinding Signs for local points of interest project to Sign Crafters of Victoria, Texas in an amount not to exceed $40,000. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to award a three-year contract with STW, Inc. for continued financial software use and support. Second was made by Councilmember O'Neill and motion carried unanimously.

REVIEW was held of the proposed Pay Plan Adjustment and cost of living increase to be included in the Fiscal Year 2019-2020 Budget. Options were presented for review along with Fiscal Year 2019-2020 Budget line items, revenues, and transfers. Direction was provided to staff to move forward with the information as presented and protect the merit increase for all employees while increasing the lower classification pay ranges.

MOTION by Councilmember Kander to approve the 2019 Certified Appraisal Roll for the City of Yoakum as certified by the DeWitt County Chief Appraiser. Second was made by Councilmember O'Neill and motion carried unanimously.

STAFF provided information on options for the 2019 tax rate based on information by the DeWitt County Tax Appraiser. Consensus of the Council was to move forward utilizing a tax rate of $0.118 to be considered for adoption at the next Council meeting.

INFORMATION was presented regarding proposed Utility Rates and Fees adjustments for Council review. The last Utility rate increase was implemented in February of 2017 at roughly an 8% increase for water, and 12% increase for sewer. Staff recommended adopting a policy of reviewing the rates every two years. This will provide Council an opportunity to amend the rates incrementally to allow customers an opportunity to adjust to the increase more easily instead of waiting up to five years and increasing the rates at a much larger rate. Should the Council choose not to increase
rates, the budget would hold but would require less funds to be placed in reserve. Direction was provided by Council to implement the review of rates every two years.

MOTION was made by Councilmember Klander to adopt a resolution (recorded as No. 2019-16) amending the City of Yoakum Manual of Fees and Service Charges, specifically Subsection I, Residential/Commercial Building Code Charges & Fees of the Codes Section, and Subsection VIII, Electric Service Fees of the Utilities Section. Second was made by Councilmember O’Neill; motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to adopt a resolution (recorded as No. 2019-17) authorizing signatories for the City’s designated bank depository to include Accounting Manager Tammie Harabis. Motion was seconded by Councilmember Klander and carried unanimously.

MOTION by Councilmember O’Neill to adopt a resolution (recorded as No. 2019-18) renewing the City of Yoakum Investment Policy as amended. Councilmember Goodrich seconded the motion. Motion carried unanimously.

COUNCILMEMBER Klander made a motion to appointment Mr. Harry Sherman to the Zoning Board of Adjustment and Appeals for an un-expired three-year term. Motion was seconded by Councilmember O’Neill and carried unanimously.

MOTION by Councilmember Goodrich to appointment Arthur Hermann, Anita R. Rodriguez, Whitney Boone, and Elorine Sitka to the Yoakum Economic Development Corporation Board of Directors for two-year terms. Second was made by Councilmember Klander and motion carried unanimously.

COUNCILMEMBER Klander made a motion to appoint Elorine Sitka and Billy Goodrich to the Golden Crescent Regional Planning Commission’s General Assembly as representatives for the City of Yoakum. Motion was seconded by Councilmember O’Neill and carried unanimously.

UNDER the City Manager’s report, Council was reminded of the Golden Crescent Regional Planning Commission’s Annual General Assembly meeting scheduled for August 22, 2019 in Goliad, Texas; the Texas Municipal League Region 11 Meeting scheduled for September 13, 2019 to be held in Kingsville, Texas; the Annual City of Yoakum Service Awards Banquet scheduled for September 26, 2019 at the Yoakum Community Center beginning at 6:00 PM; and the Texas Municipal League Annual Conference to be held in San Antonio, Texas October 9-11, 2019. Information was provided regarding Congressman Michael Cloud is scheduled to speak at the Yoakum Community Center from 9:30 AM to 11:00 AM on August 27, 2019 and Senator Lois Kolkhorst will be in Yoakum on Thursday, August 15 at 6:30 PM. Information regarding a rebate provided by the City’s employee health care provider, TMLIEBP in the amount of $1,300 per month was discussed. An update was provided regarding the easement abandonment for Eddy Packing, Inc. was provided: City Attorney Kvinta is working with the closing attorney to document the company’s responsibility after the abandonment of the line by the City. The Bi-Annual City Wide Clean-Up Program has been scheduled for September 30th through October 4th for bulk item pick up. The Fire Department antennas replacement project has been completed and the system is functioning appropriately. An update was provided regarding the application to the General Land Office for funding through additional Hurricane Harvey recovery funds. Currently the City is under a 30 day review process. Notice has been posted and applications are due by August 31st. If the deadline is not met, the funding will not be available. Director of Economic Development Chuck Dart has announced his retirement effective November 1st. Timing issues will be addressed to ensure benefits are received in a timely manner. Potential buyers have been identified for the old Huth
Memorial Hospital with intentions of renovating the property into a possible senior independent living complex. Council will be asked to review the Court Fees and Fines in the Manual of Fees and Service Charges at the next Council meeting. Certain property owners have decided not to participate in the Downtown Christmas Lighting Project. Additional information and options will be reviewed and brought back to Council for direction. Staff is compiling information and recommendations to revise the Zoning Ordinance to address short term housing rental. A budget workshop/meeting has been scheduled for August 21, 2019 and a special meeting to finalize the adoption of the budget and tax ordinances has been set for September 16, 2019 both at 5:30 PM.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:26 PM deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting reopened to the public at 7:55 PM with no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 7:55 PM.

Anita R. Rodriguez
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAUM
TEXAS
August 21, 2019
Conference Room – 5:30 PM
City Hall

BUDGET WORKSHOP/MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................ Mayor
          Elorine Sitka ............................................... Mayor Pro-Tem
          Billy Goodrich ........................................ Councilmember
          Glenn Klander ........................................ Councilmember
          Carl O’Neill .............................................. Councilmember
          Kevin M. Coleman ...................................... City Manager
          Kenneth E. Kvinta ...................................... City Attorney
          Theresa A. Bowe ......................................... City Clerk

ABSENT:  None

MAYOR Rodriguez called the meeting to order and opened the meeting to the public at 5:30 PM.

MAYOR Pro-Tem Sitka made a motion to adopting a resolution (recorded as No. 2019-19) authorizing the Mayor to execute an IRS Power of Attorney (Form 2848) giving Texas Municipal League attorneys the ability to communicate directly with the IRS on behalf of the City of Yoakum. Motion was seconded by Councilmember Klander and carried unanimously.

INFORMATION was presented on the proposed 2019-2020 Fiscal Year budget. The presentation included a decrease in the annual employee merit increase to a maximum of 7.5% with no cost of living increase incorporated. Information was received from the City Manager, Director of Public Works, Fire/EMS Director, Police Chief, and City Clerk. Additional personnel requests were received in the Police Department and Library. Mayor Rodriguez presented a request from Norma’s House of Gonzales, Texas for funding assistance. The entity assists with forensic interviews with juvenile victims and witnesses.

THERE being no further business, the meeting adjourned at 6:48 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
August 21, 2019
Conference Room – 5:30 PM
City Hall

BUDGET WORKSHOP/MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ........................................Mayor
          Elorine Sitka .....................................................Mayor Pro-Tem
          Billy Goodrich .................................................Councilmember
          Glenn Klander ..................................................Councilmember
          Carl O’Neill .......................................................Councilmember
          Kevin M. Coleman ..............................................City Manager
          Kenneth E. Kvinta ..............................................City Attorney
          Theresa A. Bowe .................................................City Clerk

ABSENT:  None

MAYOR Rodriguez called the meeting to order and opened the meeting to the public at 5:30 PM.

MAYOR Pro-Tem Sitka made a motion to adopting a resolution (recorded as No. 2019-19) authorizing the Mayor to execute an IRS Power of Attorney (Form 2848) giving Texas Municipal League attorneys the ability to communicate directly with the IRS on behalf of the City of Yoakum. Motion was seconded by Councilmember Klander and carried unanimously.

INFORMATION was presented on the proposed 2019-2020 Fiscal Year budget. The presentation included a decrease in the annual employee merit increase to a maximum of 7.5% with no cost of living increase incorporated. Information was received from the City Manager, Director of Public Works, Fire/EMS Director, Police Chief, and City Clerk. Additional personnel requests were received in the Police Department and Library. Mayor Rodriguez presented a request from Norma’s House of Gonzales, Texas for funding assistance. The entity assists with forensic interviews with juvenile victims and witnesses.

THERE being no further business, the meeting adjourned at 6:48 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAUKUM
TEXAS
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez .................................................. Mayor
        Elorine Sitka ............................................................ Mayor Pro-Tem
        Billy Goodrich .......................................................... Councilmember
        Glenn Klander ............................................................ Councilmember
        Carl O'Neill ............................................................... Councilmember
        Kevin M. Coleman ....................................................... City Manager
        Kenneth E. Kvinta ....................................................... City Attorney
        Theresa A. Bowe .......................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order and Councilmember Klander gave the invocation. The pledge of allegiance was recited by all in attendance.

Visitors were acknowledged and welcomed.

MOTION by Mayor Pro-Tem Sitka to adopt the minutes from the meetings of August 13, 2019 and August 21, 2019 as corrected. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments receive recommendations from the Planning and Zoning Commission regarding a request for a zoning change from Randy and Angela Bordovsky for a Change in Zoning from Residential (R-3) to Business (B-1) at 102 Hill Street; and from the Yoakum Independent School District for a Planned Unit Development at 104 McKinnon Street. Mrs. Angela Bordovsky was present to provide information and answer questions. The change will allow the property owners to operate a bed and breakfast in compliance with the Zoning Ordinance. Mr. Chris Kvinta was present to provide information and answer questions in relation to the request from the Yoakum ISD. The school has not developed specific plans for certain areas listed in the request, however, made the request to include all of the YISD owned property in the area to provide flexibility for future plans. After presentation from the representatives and hearing no comments from the public, the public hearing closed.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 2157) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lots 7 and part of 8 of Block 1165 in the JX May First Addition as shown on the official tax roll (for location reference only: 102 Hill Street) in the City of Yoakum, as it pertains to the City of Yoakum Code of Ordinances, Division 5 of Chapter 52: Zoning Ordinances; Division 5 of Chapter 52: Zoning. Second was made by Councilmember Klander and motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2158) on first reading granting a Planned Unit Development on property described as as Lots 2-10 of Block 1099, and Part of 1099 (unplatted), ALL of Block 1100, Block 1101 all in the Plaza Addition; ALL of Block 1, Lots 1-4, PT of 5, and 6-15 of Block 4, Lots 1-3 & PT of 4 of Block 5, and Lots 1-5 of Block 8 all in the Sunset Addition; Lots 1-2 of Block 3 in the WE Ehlers Addition; Lots 4-8 and Part of 9 of Block 3, Lots 1-5 of Block 4, Lots 1-6 of Block 5 and Part of Lot 10 and Lots 11-13 of Block 10 in the Yoakum Heights Addition as shown on the official tax roll (for location reference only: Yoakum Independent School District High School 104 Poth Street) in the City of Yoakum, as it pertains to the City of
Yoakum Code of Ordinances, Division 5 of Chapter 52: Zoning. Motion was seconded by Councilmember O’Neill and carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the rescission and termination of an ordinance (recorded as No. 1250) providing for a Specific Use Permit for the placement of a mobile home on property located at 415 Post Street. Code Enforcement Officer Dulce Hernandez provided information regarding the status of the property. Contact was made with the property owner (Tony Brown) on August 22, 2019 to ensure awareness of the proposed rescission. There has been no contact since staff reached out. The utilities have been disconnected since January of 2019 and the home is currently vacant. The property owners were not present and hearing no comments from the public, the public hearing was closed.

COUNCILMEMBER Goodrich made a motion to adopt an ordinance (recorded as No. 2159) on emergency reading rescinding Ordinance No. 1250 providing for a Specific Use Permit for the placement of a mobile home on property described as Lot 5 of Block 1252 in the Berry Addition (415 Post Street) and ordering the structure to be removed within 120 days. Second was made by Councilmember Klander. Motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the 2019-2020 City of Yoakum Fiscal Year Budget. Information was presented by City Manager Coleman which outlined a maximum 7.5% merit increase for City employees. The Utility Fund, Special Funds, Hotel Occupancy Tax Fund, Library Fund, YECD Budget, and General Fund were reviewed. After review and discussion, and hearing no comments from the public, the public hearing was closed.

MOTION by Councilmember Klander to adopt an ordinance (recorded as No. 2160) on first reading adopting the City of Yoakum 2019-2020 Fiscal Year Budget as presented. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the 2019 City of Yoakum Tax Rate. The proposed tax rate of $0.118 is an increase from last year’s rate of $0.108 to provide for additional tax revenue to support City functions. Hearing no comments from the public, the public hearing closed.

COUNCILMEMBER O’Neill made a motion to adopt an ordinance (recorded as No. 2161) on first reading levying taxes to be assessed and collected and that the property tax rate be increased by the adoption of a tax rate of 0.11800 ($0.05735 for Maintenance and Operation; $0.06065 for principal and interest on debt of this City), which is effectively a 15.02% increase in the tax rate. Second was made by Councilmember Klander and motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to establish the amount of debt service to be supported by the ad valorem tax levy and the amount to be supported by utility revenue for Fiscal Year 2019-2020 for the payment of principal, interest, and administrative fees, the 2008 Texas Water Development Board Certificates of Obligation debt, and the 2008 Texas Water Development Board General Obligation Bond debt as presented (Total debt - $460,000; Advalorem - $140,300; Utility Revenue - $310,700). Second was made by Councilmember O’Neill and motion carried unanimously.

DISCUSSION was held regarding an application for grant funding to assist with sidewalk renovations in the downtown area. The maximum grant amount is $350,000 and if approved would require a match from City funds in the amount of $70,000. After review, Councilmember O’Neill made a motion to adopt a resolution (recorded as No. 2019-20) authorizing the submission of a Texas Community Development Block Grant Revitalization Fund Grant Application to the Texas Department of Agriculture. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.
MOTION by Councilmember Klander to adopt a resolution (recorded as No. 2019-21) designating Slum/Blight Conditions within the Downtown Revitalization Fund project area. Second was made by Councilmember O'Neill and motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to authorize the City Manager to extend the current Tree Trimming Contract with Thomas Construction Plus of Yoakum, Texas for an additional $20,000 for a total contract amount not to exceed $50,000. Motion was seconded by Councilmember O'Neill and carried unanimously.

BID tabulations were reviewed for the repair project at the Carl & Mary Welhausen Library. Available funding limits the scope of work that may be completed at this time. After review and discussion, Councilmember Klander made a motion to award the 219 Carl & Mary Welhausen Library Power Washing Services and Exterior Painting Project to Weaver and Jacobs Construction of Cuero, Texas in an amount not to exceed $60,000 with priorities to be set by City staff. Second was made by Councilmember O'Neill and motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2019-22) amending the City of Yoakum Manual of Fees and Service Charges, specifically Solid Waste Fees, Water/Wastewater Fees, Electric Fees, and Building Permit Fees as presented. Motion was seconded by Councilmember Klander and carried unanimously.

INFORMATION was presented regarding an amendment to the EMS delinquent account collection contract to allow customers to pay a discounted rate for payment in full on older accounts, payment plans for specific dollar amounts and providing for timeframes. The fee to the Contractor is based on the amount collected and not the actual delinquent amount of the bill. The contract will be for a one-year term with the option to renew on an annual basis for up to 4 years. After discussion, Councilmember Goodrich made a motion to accept the terms of the contract as presented. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

MOTION by Councilmember O'Neill to authorize the charge off of listed delinquent ambulance, and utility account receivables as presented. Motion was seconded by Councilmember Goodrich and carried unanimously.

INFORMATION was presented regarding legislation that allow Municipal Court Judges to authorize the charge off of warrants and fees. The State Legislature approved HB 435, allowing courts to designate a fee or fine as uncollectible if the defendant is deceased; serving a life sentence without parole or the fee/fine has been unpaid for at least 15 years. The authority to designate fees/fines lies with the Municipal Judge. Judge Pelech has asked City staff to gather the list of cases that qualify, and after an effort to make one more attempt at collection, deem those qualifying cases as uncollectible. In that this is the first year of this type of action, Council is asked to review the policy and consider approval. After review and discussion, Council provided direction to staff to move forward with the policy complying with State law.

MAYOR Pro-Tem Sitka made a motion to approve expediting the purchase of the patrol car funded in the Fiscal Year 2020 Budget and awarding the BuyBoard bid from Caldwell County Ford was presented in the amount of $38,216. Second was made by Councilmember O'Neill and motion carried unanimously. Options for the repairs and/or replacement of a damaged Police Patrol unit in the Police Department will be presented at a future meeting.

COUNCILMEMBER Goodrich made a motion to approve a recommendation received from the Hotel Occupancy Tax Advisory Board for advertisement funding for billboard contracts. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.
MAYOR Pro-Tem Sitka made a motion to approve a recommendation from the Hotel Occupancy Tax Advisory Board for funding participation for the Wayfinding Sign Project for local points of interest in the amount of $20,778. Second was made by Councilmember Goodrich and motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2019-23) nominating Conyetta Gaus-Swaney as a candidate to the DeWitt County Appraisal District for a two-year term. Motion was seconded by Councilmember O’Neill and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2019-24) nominating a Walt Hairrel to the Lavaca County Central Appraisal District for a two-year term. Motion was seconded by Councilmember Klander and carried unanimously.

UNDER the City Manager’s report, Council was reminded of the Texas Municipal League Region 11 Quarterly Meeting in Kingsville, Texas scheduled for September 13, 2019; the City of Yoakum Service Awards Banquet to be held at the Yoakum Community Center on September 26, 2019; the City Wide Clean Up Program schedule for September 30th through October 4th; National Night Out at the Yoakum Fire Department on October 8, 2019; Fire Prevention Week will be held October 7th through October 11th; and the Texas Municipal League Annual Conference will be held in San Antonio, Texas on October 9 – 11, 2019. City Manager Coleman informed the Council of the finalization of the architectural contract for the City Hall and Police Department facilities; the project is scheduled to be completed during Fiscal Year 2020. The Quarterly Investment Report was presented for review, indicating strong cash values; CDs are scheduled to renew at the end of this fiscal year and staff will organize the funds back into the appropriate CDs. Director of Economic Development Chuck Dart has indicated his intention to retire on November 1, 2019. The YEDC has scheduled interviews with consultants to begin the selection process for his replacement. The Annual Street Improvement Project has been scheduled and should be complete by the end of September 2019. The application process for funding through the Texas General Land Office for additional Hurricane Harvey Recovery Funds is administratively complete and has been submitted in the amount of $1.4 million. Information was presented regarding House Bill 2840 that provides for public comment on any item that appears on the agenda, which has been the practice of the City of Yoakum City Council as an unwritten policy as a courtesy to attendees. Council was reminded of the Bi-Annual Joint City Council/YEDC meeting, tentatively scheduled for October 21st; staff will review the date with the YEDC to ensure coordination.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:31 PM for consultation with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), and to deliberate regarding security devices or security audits (1) the deployment, or specific occasions for implementation, of security personnel or devices (V.T.C.A., Gov. Code, Sec. 551.076). The meeting reopened to the public at 7:45 PM with no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 7:45 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez .................................................. Mayor
         Eloise Sitka .......................................................... Mayor Pro-Tem
         Billy Goodrich ...................................................... Councilmember
         Glenn Klander ...................................................... Councilmember
         Carl O'Neill .......................................................... Councilmember
         Kevin M. Coleman .................................................. City Manager
         Kenneth E. Kvinta .................................................. City Attorney
         Theresa A. Bowe ...................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order and opened the meeting to the public at 5:30 PM.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 2157) on second and final reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lots 7 and part of 8 of Block 1165 in the JX May First Addition as shown on the official tax roll (for location reference only: 102 Hill Street) in the City of Yoakum, as it pertains to the City of Yoakum Code of Ordinances, Division 5 of Chapter 52: Zoning Ordinances, Division 5 of Chapter 52: Zoning. Second was made by Councilmember Klander and motion carried unanimously.

COUNCILMEMBER O'Neill made a motion to adopt an ordinance (recorded as No. 2158) on second and final reading granting a Planned Unit Development on property described as all Lots 2-10 of Block 1099, and Part of 1099 (unplatted), ALL of Block 1100, Block 1101 all in the Plaza Addition; ALL of Block 1, Lots 1-4, PT of 5, and 6-15 of Block 4, Lots 1-3 & PT of 4 of Block 5, and Lots 1-5 of Block 8 all in the Sunset Addition; Lots 1-2 of Block 3 in the WE Ehlers Addition; Lots 4-8 and Part of 9 of Block 3, Lots 1-5 of Block 4, Lots 1-6 of Block 5 and Part of Lot 10 and Lots 11-13 of Block 10 in the Yoakum Heights Addition as shown on the official tax roll (for location reference only: Yoakum Independent School District High School 104 Poth Street) in the City of Yoakum, as it pertains to the City of Yoakum Code of Ordinances, Division 5 of Chapter 52: Zoning. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember O'Neill to approve amendments to a contract with Jacobs & Weaver Construction of Cuero, Texas for the 2019 Carl & Mary Welhausen Library Power Washing Services and Exterior Painting Project in an amount not to exceed $70,000. Second was made by Councilmember Klander and motion carried unanimously.

INFORMATION is still pending on damage to the Police Patrol unit and additional information will be brought to Council at a future meeting.

MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the 2019-2020 City of Yoakum Fiscal Year Budget. City Manager Coleman provided additional information and hearing no comments from the public, the public hearing closed.

COUNCILMEMBER Klander made a motion to adopt an ordinance (recorded as No. 2160) on second and final reading adopting the City of Yoakum 2019-2020 Fiscal Year Budget as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.
MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the 2019 City of Yoakum Tax Rate. The proposed tax rate of $0.118 is an increase from last year's rate of $0.108 to provide for additional tax revenue to support City functions. Hearing no comments from the public, the public hearing closed.

COUNCILMEMBER Goodrich made a motion to adopt an ordinance (recorded as No. 2161) on second and final reading levying taxes to be assessed and collected and that the property tax rate be increased by the adoption of a tax rate of 0.11800 ($0.05735 for Maintenance and Operation; $0.06065 for principal and interest on debt of this City), which is effectively a 15.02% increase in the tax rate. Second was made by Councilmember Klander and motion carried unanimously.

MOTION by Councilmember Klander to approve a recommendation from the Yoakum Economic Development Corporation Board of Directors to award a contract for employee recruitment service for the Director of Economic Development position to Next Move, LLC of New Orleans, LA. in an amount not to exceed $14,435 plus travel expenses as presented. Second was made by Councilmember Goodrich and motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the renewal of the City of Yoakum Juvenile Curfew Ordinance. Information was presented by City staff. Hearing no comments from the public, the public hearing closed.

COUNCILMEMBER O'Neill made a motion to adopt an ordinance (recorded as No. 2162) on first reading providing for the continuance of the City of Yoakum Juvenile Curfew (Chapter 28. Offenses: Art. III Minors; Div. 2 Curfew). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCIL was informed of a proposal received for the lease of the City's previously closed landfill. Additional information will be brought to Council for discussion at a future meeting.

THERE being no further business, the meeting adjourned at 5:48 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ................................. Mayor
           Elorine Sitka ......................................... Mayor Pro-Tem
           Glenn Klander ......................................... Councilmember
           Carl O'Neill ............................................ Councilmember
           Kevin M. Coleman ..................................... City Manager
           Kenneth E. Kvinta ...................................... City Attorney
           Theresa A. Bowe ........................................ City Clerk

ABSENT:  Billy Goodrich ........................................ Councilmember

MAYOR Rodríguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION by Councilmember Klander to adopt the minutes from the meetings of September 10, 2019 and September 16, 2019 as presented. Second was made by Councilmember O'Neill; motion carried unanimously.

MAYOR Rodríguez opened a public hearing to receive citizen comments on the renewal of the City of Yoakum Juvenile Curfew Ordinance. Information was presented by City staff. Hearing no comments from the public, the public hearing closed.

COUNCILMEMBER O'Neill made a motion to adopt an ordinance (recorded as No. 2162) on second and final reading providing for the continuance of the City of Yoakum Juvenile Curfew (Chapter 28. Offenses: Art. III Minors; Div. 2 Curfew). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCIL entered into their designation as the Second Panel of the Building and Standards Commission to hear an appeal of demolition orders by the Building and Standards Commission on property located at 708 Lavaca Street. Mary Jo Rosales was present to provide information and answer questions. The siding on the back of the structure has been fixed; and old siding has been removed and replaced with new siding. Council was informed by staff that electrical, water and sewer services will not be connected until the structure is brought into compliance with the Building Code, and the fees are paid for the sewer tap charges. Code Enforcement provided additional information regarding the interior of the home including the need to repair or replace the water heater, and the electrical panel will need to be reviewed by a licensed electrician. Motion by Mayor Pro-Tem Sitka to allow the property owner 60 days to bring the property into compliance, provide detailed progress reports to the Code Enforcement Office, and make arrangements with the City Manager for payment of the sewer tap fees. Motion was seconded by Councilmember O'Neill and carried unanimously.

MOTION by Councilmember Klander to approve the 2019 RAMP Agreement with the Texas Department of Transportation for improvements to the Municipal Airport to address drainage improvements, relocation of the windsock, and additional improvements as funding allows; and authorize the City Manager to advertise for Requests for Proposals for engineering services related to the improvements. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

CONNIE Zimmerman was present representing the Yoakum Area Chamber of Commerce for a request for street closures in coordination with the Christmas on the Grand event. Plans include utilizing the Railroad Park for a portion of the event. After discussion, Mayor-Pro Tem Sitka made a motion to authorize the closure of streets as requested by the Yoakum Area Chamber of Commerce for the Christmas on the Grand event scheduled for December 6, 2019. Motion was seconded by Councilmember Klander and carried unanimously.
REPRESENTATIVES from the Yoakum Little League were present to request assistance for a multi-year improvement plan at the Yoakum Little League complex. President Raymond Rosas, Safety Officer Eric Mercer, and Board Member Lorin Bruns provided information on the needs at the fields including concession stand improvements, lighting, dugouts, and fencing. Mayor Rodriguez requested a detailed prioritized list that includes cost estimates for the improvements. Information may be presented to the Yoakum Economic Development Corporation Board of Directors, as well as the Parks & Recreation Advisory Committee for assistance. Councilmember Klander suggested reaching out to Coke, Pepsi, or Dr. Pepper for sponsorship and funding assistance. Council thanked the gentlemen for the information and look forward to further presentations.

COUNCILMEMBER O'Neill made a motion to approve a request from the House of Grace Church for the closure of a portion of the 300 block of E. Grand Avenue on November 2, 2019 in coordination with a fall celebration. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

INFORMATION was presented on an opportunity to purchase a used 2016 police unit through BuyBoard vendor Silsbee Ford to replace the damaged Police Patrol unit. After discussion, Councilmember O'Neill made a motion to approve an above budget expense for the purchase of a 2016 Ford Explorer Interceptor through Silsbee Ford of Silsbee, Texas in an amount not to exceed $31,725 for the replacement of the damaged Police Patrol unit in the Police Department. Second was made by Councilmember Klander and motion carried unanimously.

AFTER presentation of information, Councilmember O'Neill made a motion to approve the purchase of body cameras and vehicle cameras for the Police Department as budgeted from Watch Guard of Allen, Texas as a sole source provider in an amount not to exceed $45,000. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Councilmember Klander to authorize the City Manager to execute an agreement with Dawson's Recycling and Disposal of Gregory, Texas for Brush Grinding Services as presented. Second was made by Councilmember O'Neill; motion carried unanimously.

COUNCILMEMBER O'Neill made a motion to authorize the City Manager to advertise for bids for the rehabilitation of Well #6. Motion was seconded by Councilmember Klander and carried unanimously. Bids to be brought back to Council at their December or January meeting.

REVIEW was held of Capital Reserve Account Balances projected for Fiscal Year 2020. Detailed information was presented; balances discussed; changes that have occurred over the last three budget years were reviewed.

MOTION by Councilmember O'Neill to adopt a revised City of Yoakum Personnel Manual with clarification in the Personnel Records section to ensure disciplinary action information is provided from supervisors and/or department heads. Second was made by Councilmember Klander and motion carried unanimously.

COUNCILMEMBER Klander made a motion to adopt the City of Yoakum Identity Theft Prevention Policy as presented. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MOTION by Mayor Pro-Tem Sitka to appoint George Boecker and Evelyn Miculka to the Yoakum Oak Grove Cemetery Board of Directors for 3-year terms. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2019-25) authorizing the contract for legal services necessary to collect unpaid fines, fees and court costs as provided in Texas Code of Criminal Procedure Art. 103.0031 and authorizing the execution of such agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP of Victoria, Texas as special counsel. Motion was seconded by Councilmember Klander and carried unanimously.
MOTION by Mayor-Pro Tem Sitka to adopt a resolution (recorded as No. 2019-26) authorizing the contract for legal services necessary to collect delinquent utility accounts as provided by the Texas Constitution Art. 3, §44 and §53, and section 2254.102 of Chapter 2254 in the Texas Government Code and authorizing the execution of such agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP of Victoria, Texas as special counsel. Second was made by Councilmember Klander; motion carried unanimously.

COUNCILMEMBER O’Neill made a motion to adopt a resolution (recorded as No. 2019-27) authorizing the contract for legal services necessary to collect delinquent emergency medical services accounts as provided by the Texas Constitution Art. 3, §44 and §53, and section 2254.102 of Chapter 2254 in the Texas Government Code and authorizing the execution of such agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP of Victoria, Texas as special counsel. Second was made by Councilmember Klander and motion carried unanimously.

MOTION by Councilmember O’Neill to adopt internal Library policies as recommended by the Carl & Mary Welhausen Library Board. Second was made by Councilmember Klander; motion carried unanimously.

UNDER City Manager’s Report, Council was invited to the National Night Out event scheduled for October 8, 2019 at the Yoakum Fire Station and reminded of Nation Fire Prevention Week from October 7 through October 11, 2019. Information was provided on the Texas Municipal League Annual Conference to be held in San Antonio, Texas from October 9 through October 11, 2019; invitations were extended for the Nueces Power Equipment Fish Fry in Victoria, Texas on October 24, 2019; a reminder was provided regarding the St. Joseph Catholic Church Jack-O’Lantern Job on October 26, 2019; a reminder was provided for the State of the LCRA meeting scheduled for October 29, 2019 in La Grange, Texas; the annual Pumpkin Patch event is scheduled for October 31, 2019; and the Library will hold a Halloween Celebration also on October 31, 2019. Under City functions, an update was provided on Eddy Packing’s plan for construction of a building that will hold a piece of equipment that will improve their effluent flow to the City Wastewater Treatment Facility. The plan is to keep the current plan in place for six months until the building is operational. The Library Power Wash and Exterior Paint contract with Weaver and Jacobs has been executed. An inspector with the Texas Commission on Environmental Quality will be in Yoakum this week to inspect the City’s Water System. A written report was provided on the Bi-Annual City Wide Clean Up Program that recently took place. Director of Economic Development Chuck Dart has announced his retirement effective November 1, 2019. Council was invited to attend a farewell celebration on that day in his honor. A search firm has been engaged to assist with filling the position. Council was reminded of the Joint City Council/YEDC meeting scheduled for October 14, 2019 at 5:30 PM.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:03 PM for consultation with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), to deliberate regarding the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072), and to discuss an electric utility related matter (V.T.C.A., Gov. Code, Sec. 551086). The meeting reopened to the public at 7:28 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem Sitka to authorize a lease agreement with Eagle Valley Energy Partners for 12.82 acres for a three-year period. Motion was seconded by Councilmember Klander and carried unanimously. Direction was received from Council to return 1/3 of the credit from the LCRA refund to the customers and retain the remaining funds for future projects.

THERE being no further business, the meeting adjourned at 7:30 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

Theresa A. Bowe, City Clerk

ATTEST:
JOINT MEETING OF THE CITY COUNCIL AND
YOAKUM ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

PRESENT:  Anita R. Rodriguez .............................................. Mayor/YEDC Director
          Elorine Sitka ............................................................. Mayor Pro-Tem
          Billy Goodrich ............................................................ Councilmember
          Glenn Klander ............................................................. Councilmember
          Kevin M. Coleman ......................................................... City Manager
          Kenneth E. Kvinta ......................................................... City Attorney
          Theresa A. Bowe ............................................................ City Clerk
          Gery Maneth ................................................................. YEDC President
          Whitney Boone .............................................................. YEDC Vice-President
          Arthur Hermann ............................................................ YEDC Secretary
          Tommy Barre ............................................................... YEDC Director
          Zenith Stevens .............................................................. YEDC Director

ABSENT:  Carl O'Neill .......................................................... Councilmember

MAYOR Rodriguez called the City Council meeting to order at 5:47 PM and President Maneth gave the invocation.

DED Dart presented the YEDC Annual Report for review. Information was presented regarding the Sales Tax Report from the Texas State Comptroller’s office; a review of the awarded grants from the past year was presented; information was presented regarding the receipt of a GVEC Power Up Grant for assistance with the purchase of Christmas lights for the downtown area; a reminder was provided regarding the appointment of DED Dart to the Golden Crescent Regional Planning Commission’s Workforce Development committee; and an update was provided on the grant request submitted to the Texas Department of Agriculture for sidewalk replacement in the downtown area. After review and discussion, Mayor Pro-Tem Sitka made a motion to accept the YEDC Annual Report as presented. Second was made by Councilmember Klander; motion carried unanimously.

INFORMATION was presented by YEDC President Maneth regarding the current grant programs available to the businesses and civic groups in Yoakum. The grants are small but have a significant impact for the small business and groups that they assist. Discussion was held regarding the potential to develop an incentive program for the downtown property owners to improve the appearance of the exteriors of the buildings; exterior repair and façade improvement are both legitimate uses of economic development funds.

DISCUSSION was held regarding the retired army reserve facility. The YEDC indicated a desire to coordinate a joint meeting with the Yoakum Independent School Board to determine needs and assess workforce training options at the high school level that the YEDC Board may be able to assist with.

INFORMATION was presented on the Yoakum Commercial Historic District project. The nomination was sent back earlier this year for corrections and modifications. The issues have been rectified and the nomination was resubmitted for consideration in September of 2019. The National Park Service begins the review process and begins the 45 day window. Results should be received mid-November. Discussion was held on potential street signs & place plaques for historical buildings within the district. The goal of the project is to increase investment in the downtown area.
THE company awarded the Wayfinding sign contract, Sign Crafters of Victoria, Texas, will be in Yoakum on October 23rd to tour the City and review the locations and guidelines for the placement of the signs. The project should be complete by the end of 2019.

FUNDING restrictions were discussed for YEDC participation in local housing. Property owners have expressed interest in creating lofts in some of the buildings in the downtown area. State statute limits housing assistance for Type B Sales Tax Funds to affordable housing. Discussion was held regarding how to define affordable housing and options that are left available to the YEDC to assist with housing in the area.

REVIEW was held of the brochure, job posting, and recruitment strategy for the Director of Economic Development from The Next Move Group. Applications will be received through November 1, 2019.

CITY Manager Coleman provided information regarding the sidewalk improvement grant program through the Texas Department of Agriculture. The scope of work is outlined from the alley located at the 400 block of Lott Street moving north to the 300 block of Lott Street; traveling west on May Street for roughly half of the block, and traveling east on May Street for the same distance. Matching funds have been committed by the City Council in the amount of $70,000. Staff is confident that the City will score well and has a good chance of receiving funding.

ADDITIONAL funds are being sought through the Texas General Land Office for FEMA funds that are available to assist communities affected by Hurricane Harvey. Funding is meant to identify and correct infrastructure that suffered during the storm. Among the issues to be reviewed will be Kennedy Ditch, emergency generators for the Fire Station, and surgical improvements to the electrical system. Langford Community Development has been contracted as the consultant for the submission of the grant applications. The company has submitted five separate applications to ensure that if one application does not qualify the others may as separate projects.

RETAIL development discussion was held. Ideas were requested from the group to fill the downtown buildings. Bealls will be changing names and the store will remain in Yoakum. Information was presented on the restaurant that had expressed interest in moving into the vacant portion of the Stanley Center building. Parking in the downtown area is still an issue. Ideas were presented to utilize the Front Street Railroad Park for a parking area. The need for housing was reviewed and suggestions were made to seek out developers that would be interested in building in the community. Information was presented regarding a recent proposal from the Yoakum Little League for assistance with the fields in the Municipal Park. The group will gather information including a prioritized list of improvements along with cost estimates and timelines. Discussion was held regarding the possibility of partnering with the Yoakum Independent School District to determine the feasibility of providing trade-school alternatives for non-college bound graduates; the conversation should include the reasons behind the discontinuance of the vocational classes that were once offered at a high school level in our area.

The next meeting was tentatively scheduled for April of 2020 with an exact date to be determined.

THERE being no further business, the meeting adjourned at 7:10 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
November 12, 2019
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez .................................................. Mayor
          Elorine Sitka ................................................................. Mayor Pro-Tem
          Billy Goodrich ............................................................... Councilmember
          Glenn Klander ............................................................... Councilmember
          Carl O’Neill ................................................................. Councilmember
          Kevin M. Coleman ......................................................... City Manager
          Kenneth E. Kvinta ......................................................... City Attorney
          Theresa A. Bowe ............................................................. City Clerk

ABSENT:  None

MAYOR Rodríguez called the City Council meeting to order and Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed. Richard Saucier was introduced as the City’s new Water/Wastewater Superintendent. Council welcomed Mr. Saucier to the team.

MOTION by Councilmember O’Neill to adopt the minutes from the meetings of October 8, 2019 and October 14, 2019 as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

AFTER discussion, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to execute a research and grazing lease agreement with Texas A&M University System for a 25.3696 acre tract of City owned property in Lavaca County. Second was made by Councilmember Klander; motion carried unanimously.

MOTION was made by Councilmember O’Neill to authorize the purchase of a used 2015 Caterpillar Steel Wheel Roller through HoltCAT of Victoria, Texas for the Street Department as budgeted in the amount of $75,701.16. Motion was seconded by Councilmember Goodrich and carried unanimously.

COUNCILMEMBER Goodrich made a motion to authorize the purchase of a ¾ ton four-wheel drive pickup truck for the Police Department through the BuyBoard from Caldwell County Ford of Rockdale, Texas in the amount of $32,465.00. Second was made by Councilmember Klander and motion carried unanimously.

MOTION BY Mayor Pro-Tem Sitka to authorize the purchase of two - ½ ton pickup trucks; one for the Solid Waste Department and one for the Electric Department as budgeted in the amount of $31,495.00 each through the BuyBoard from Silsbee Ford of Silsbee, Texas. Motion was seconded by Councilmember O’Neill and carried unanimously.

COUNCILMEMBER Klander made a motion to authorize the purchase of a ½ ton pickup truck for the Warehouse Department through the BuyBoard from Silsbee Ford of Silsbee, Texas in the amount of $28,488.50 as budgeted. Second was made by Councilmember Goodrich; motion carried unanimously.

MOTION by Councilmember Goodrich to authorize the purchase of breathing apparatus for the Fire/EMS Department from Casco Industries of Shreveport, LA. as a sole source provider in the amount of $34,608.85 as budgeted. Councilmember Klander seconded the motion. Motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to deem the following City owned equipment as surplus and authorize the sale of all items: PARKS DEPT - 72” Skag zero turn mower, Ford 5000 Tractor
INFORMATION was presented on the revised Pole Attachment agreement with AT&T. The City currently utilizes 80 AT&T owned poles while AT&T utilizes over 1,900 of the City's utility poles. Rates paid by each entity were reviewed and discussed. After discussion, Councilmember Klander made a motion to authorize the City Manager to execute an amended agreement to the Pole Attachment Agreement with AT&T of Texas for pole attachments. Motion was seconded by Councilmember O'Neill and carried unanimously.

AFTER review, Councilmember O'Neill made a motion to adopt an ordinance (recorded as No. 2163) amending Fiscal Year 2018-2019 General and Utility Fund Budgets as presented. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to accept the October 2019 Investment Report as presented. Motion was seconded made by Councilmember Klander and carried unanimously.

MOTION by Councilmember O'Neill to accept ownership of an abandoned 2015 Carry-On Utility Trailer in compliance with Chapter 683 of the Transportation Code and approve the transfer of the equipment to the Building Maintenance Department as recommended by City of Yoakum Police Department staff. Councilmember Goodrich seconded the motion; motion carried unanimously.

DISCUSSION was held regarding options for automated meter reading/interface programs for electric, water, and wastewater meter reading. Details were presented regarding the inaccuracy of the older water meters. Indications suggest that replacing those meters would benefit the revenue stream for the City on the water portion and on the electric portion, as well. Financing assistance through a State approved financing program may be available if the increased revenue can be indicated. Currently, there is a five day window of staff time utilized for meter reading duties. Two weeks out of the monthly planning schedule is set aside for the task. Emergency repairs influence that timeline when meter reading is taking place. An automated meter reading project will free staff time to do more in-house improvements. Energy solutions or self-funding are financing paths to be considered. Mr. George Rash with Amersesco was present to provide information and answer questions, as well. Mr. Rash proposed a preliminary assessment to determine the City of Yoakum’s loss ratio at no out-of-pocket cost to the City. The information will be gathered from the City records and a detailed report will be provided once the data has been compiled. After discussion, direction was provided by Council to the City Manager to execute a letter of agreement with Amersesco to provide a preliminary assessment that should be available by the January 2020 Council meeting.

AFTER receiving information from City Attorney Kvinta regarding code enforcement issues surrounding the storage of inoperable vehicles on commercial property, Council provided direction to staff to move forward with enforcement of State law and existing local ordinances to eliminate nuisance vehicles on commercial properties.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2019-28) casting all 6 City of Yoakum allocated votes for a candidate for the DeWitt County Appraisal District Board of Directors for a two-year term to Conyetta Gaus-Swaney. Motion was seconded by Councilmember Klander and carried unanimously.
MOTION by Mayor Pro-Term Sitka to a resolution (recorded as No. 2019-29) casting all 18 City of Yoakum allocated votes for a candidate for the Lavaca County Central Appraisal District Board of Directors for a two-year term to Walt Hairrell. Second was made by Councilmember Goodrich; motion carried unanimously.

COUNCILMEMBER O'Neill made a motion to appoint Shane Flessner to the Golden Crescent Regional Planning Commission's Regional Environmental Resources Advisory Committee (RERAC) (DeWitt County) to fill an un-expired term. Second was made by Councilmember Klander and motion carried unanimously.

UNDER City Manager's Report, Council was reminded of the Yoakum Heritage Museum Christmas Tree Forest display coming up in December, the Christmas on the Grand event scheduled for December 6, 2019, the Betty Powell Memorial Community Luncheon scheduled for December 9th, the Senior Citizen Christmas Party co-hosted in coordination with the Lavaca County Senior Citizen Center on December 11th, the Library Christmas Celebration and Open House scheduled for December 13th, and Blue Santa distribution scheduled for December 21st; the Police Department is currently taking applications for event. The architect involved in the City Hall and Police Department evaluation process has had numerous contractors walk through the facilities; a tentative report is anticipated at the December or January Council meeting. Next Move, Inc. of New Orleans, LA. contracted as the search firm for the Director of Economic Development position has been advertising and accepting applications. Twenty applicants have been received and will be reviewed by the Economic Development Board at an upcoming meeting. An overview was provided regarding the Texas Commission on Environmental Quality inspection of the City's Wastewater Treatment Plant, the Solid Waste Transfer Station, and the Water Treatment Plant. Identified issues are being addressed. The Wayfinding Sign for Local Points of Interest Project has been awarded, the final sign design is being considered, line-locates for locations have been requested, and the project is on schedule to have the poles installed prior to December 25, 2019. Hurricane Harvey recovery funding through the General Land Office is still under review. Weaver and Jacobs Constructors have begun work at the Library for the final portion of the repairs from Hurricane Harvey. The final adoption of the historic district has been completed.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:25 PM for consultation with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), to deliberate regarding the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072), and to discuss an electric utility related matter (V.T.C.A., Gov. Code, Sec. 551086). The meeting reopened to the public at 7:35 PM with no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 7:35 PM.

[Signature]
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
MAYOR Rodriguez called the City Council meeting to order and Councilmember O’Neill gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION by Councilmember Klander to adopt the minutes from the meeting of November 12, 2019 as presented. Second was made by Councilmember Goodrich; motion carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update to the previous orders regarding the appeal of demolition of property located at 708 Lavaca Street. Property owners were not present. Code Enforcement Officer Dulce Hernandez provided information regarding the lack of progress; no repairs have been done since the previous meeting although mowing of the property has been maintained. Payment arrangements for the installation of a sewer tap have not been made by the property owners. After review and discussion, Councilmember O’Neill made a motion to reinstate the order of demolition on the property. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

AFTER review, Councilmember O’Neill made a motion to adopt an ordinance (recorded as No. 2164) on second and final reading amending Fiscal Year 2018-2019 Special Fund Budgets including Police, Fire, Library, Parks, Hotel Tax Funds, YEDC, and Airport Special Funds as presented. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

INFORMATION was presented regarding delinquent mowing and demolition fines and fees. The cost to file liens against properties with incurred fees will be from $75 to $80. Questions regarding specific properties were posed and addressed. After discussion, Councilmember Klander made a motion to authorize the City Attorney to file liens against properties with delinquent mowing and demolition fines and/or fees exceeding $400. Second was made by Councilmember O’Neill and motion carried unanimously.

CITY Manager Coleman provided information regarding compliance issues surrounding the M. W. Harbus Building located at 307 Crittenden Street which is utilized by various entities to provide services to Yoakum residents. Americans With Disabilities Act compliance issues were reviewed based on a report from the Texas Workforce Commission. The Workforce Commission utilizes the building on certain days of the week and was required to provide an audit of their satellite locations. The single most costly required change will be conforming the current restroom facility to be handicap accessible, including adjustments to the sink and the swing of the door. The plumbing bill will range from $1,000 to $3,000. After review, Councilmember O’Neill made a motion to allocate funds from reserve accounts in an amount not to exceed $6,000 for needed renovations. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

PROPOSALS were heard for options that will create additional parking in the downtown area. Discussion was held regarding creating a one-way designation on May Street from Lott to Front Streets in order to adjust the parallel parking spaces to pull in spaces without disrupting sidewalk space which will allow an additional 15 parking spaces along the stretch of street. Council provided direction to staff to draft an
ordinance for consideration providing for the one-way designation as discussed and develop the un-curbed area of Front Street for additional parking.

THE Yoakum Shape Shop gym presented an offer to City management to allow membership for all full-time employees and permanent part-time employees to the gym for one flat rate of $400 per month. The benefit is meant to encourage employees to engage in a healthy lifestyle that in turn should deter an increase to insurance premiums in the future. After discussion, Councilmember O'Neill made a motion to authorize the unbudgeted expenditure for gym membership fees as a benefit for City employees as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

CITY Manager Coleman provided an update to Council regarding the proposed Letter of Agreement with Eddy Packing, Inc. of Yoakum, Texas for the acceptance of effluent flow to the City of Yoakum Waste Water Treatment Plant. Eddy Packing CEO Jim Reed informed City Manager Coleman that an amended Letter of Agreement based on the current needs will be developed and brought to the City for consideration at a later meeting. Negotiations surrounding the payment arrangements Eddy Packing will be willing to agree to will be a factor during deliberations.

MOTION by Councilmember Goodrich to proclaim the month of January 2020 as School Board Appreciation Month. Councilmember Klander seconded the motion. Motion carried unanimously.

UNDER City Manager's Report, Council was reminded about the Yoakum Heritage Museum Christmas Tree Forest display, the Senior Citizen Christmas Party hosted in coordination with the Lavaca County Senior Citizen Center on December 11th, the Library Christmas Celebration and Open House on December 13th, and Blue Santa distribution on December 21st at the Yoakum Fire Station coordinated by the Yoakum Fire/EMS Department and Yoakum Police Department. City projects were reviewed including the exterior repairs to the Carl & Mary Welhausen Library, the Street Improvement Project progress, and the Downtown Christmas Lighting Project being completed by the Electric Department. Video interviews have been scheduled for Wednesday, December 11th with finalists for the Director of Economic Development. The Wayfinding Sign for Local Points of Interest Project continues on schedule. Information was presented regarding the City of Yoakum General Election filing period beginning January 15th. The City of Yoakum 2020 Holiday Schedule was presented. Council was informed of future agenda items to be considered including the Order of Election and consideration of the contract award for Brushy Creek Well #6A Rehabilitation Project. Funding request to the Texas General Land Office is being completed. Additional information has been requested from the State and a response is being developed. Funding from the Texas Community Development Block Grant is still under review by the State. Clair and Dick Beem have contacted the City with a possible request to place A Little Library at a location near the Austin Street Baptist Church; additional information will be presented as needed at a future Council meeting.

A short recess beginning at 6:48 PM for a Holiday celebration. The HEB Pantry of Yoakum, Texas provided cakes to the City in honor of the Christmas holidays. Council extended their thanks to HEB Pantry.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:00 PM for consultation with the City Attorney on pending litigation – Case No. 5:18-cv-1303 – Karissa Johnson (V.T.C.A., Gov. Code, Sec. 551.071), to deliberate regarding the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072), and to discuss an electric utility related matter (V.T.C.A., Gov. Code, Sec. 551086). The meeting reopened to the public at 7:08 PM with no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 7:08 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk