January 12, 2021
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodríguez ................................. Mayor
           Carl O’Neill ........................................ Mayor Pro-Tem
           Billy Goodrich ....................................... Councilmember
           Glenn Klander ......................................... Councilmember
           Sean Mooney ........................................... 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 Councilmember Klander gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.
1) Adoption of the minutes of the meeting of December 8, 2020;
2) Adoption of an ordinance (recorded as No. 2176) on second and final reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lot 8 of Block 1073 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 302 Antioch 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
3) Authorize the City Manager to advertise for the Request for Qualifications for engineering services related to the City’s 2021-2022 TxCDBG Community Development Fund application and project implementation
4) Waive the bidding process for street maintenance materials for the Street Department for the current Fiscal Year and extend the current contracts
5) Authorize the City Manager to execute a letter of approval for Integrity Alliance LLC for non-emergency medical transportation services in the City of Yoakum EMS service area
6) Adoption of a resolution (recorded as No. 2021-01) authorizing the City of Yoakum General Election to be held on May 1, 2021, establishing the procedures, and appointing election officials
7) Authorize the City Manager to enter into a lease agreement with Lavaca County for HAVA compliant election equipment

MOTION to adopt the Consent Agenda as presented was made by Councilmember Mooney. Second was made by Mayor Pro-Tem O’Neill; motion carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued for the demolition of the structure at 306 Concrete Street. Property owner Eric Mendoza, was present to provide information. Mr. Mendoza has continued to work on the property on weekends and indicated that only a small portion of the
floor remains to be complete and has made arrangements for the steel frame to be removed. The property owner requested an additional 30 days to complete the project. After discussion, Council consensus was to close the case providing that the property is cleared by February 2021.

COUNCIL continued in their designation as Second Panel to receive an update on property located at 101 Bulwer Street. The property owners were not present. Code Enforcement personnel indicated that the property has been cleared. Consensus of the Council to close the case.

MAYOR Rodriguez opened a public hearing to receive citizen comments on a recommendation from the Planning and Zoning Commission on a request from Jimmy and Linda Read for a Specific Use Permit for a Home Occupation for a two-year period on property located at 110 Walnut Street. The property owners were present to provide information and answer questions. The intent is to expand the current bake shop being operated under the Texas Cottage Law from the residence into a separate building on the property. The operation has been established as a delivery business and would continue to operate as such with few customers picking up orders at the property. Concerns from surrounding property owners were heard and a letter of objection was presented for Council review. In order to address concerns additional language will be added to the ordinance limiting walk-up traffic and parking on surrounding streets. Hearing no further comments, the public hearing was closed.

MOTION by Mayor Pro-Tem O'Neill to adopt an ordinance (recorded as No. 2177) on first reading granting a Specific Use Permit for a Home Occupation as defined in Chapter 52, Division 2, Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances for a two year period to Jimmy and Linda Read for property described as Lot J of Block 1245 in the Svoboda Addition as shown on the official tax roll (for location reference only: 110 Walnut Street) in the City of Yoakum; providing for pick-up on Walnut Street only, and providing no parking on Theresa Street for pick-up. Motion was seconded by Councilmember Klander and carried unanimously.

COUNCILMEMBER Klander made a motion to approve the proposed map and authorize the City Manager to advertise for bids for the 2021 Street Improvement Project. Second was made by Councilmember Mooney and motion carried unanimously.

INFORMATION regarding a volunteer citizen code enforcement team. Councilmember Mooney spoke on the subject indicating that anonymity of the volunteers would be unable to be guaranteed based on public information laws. This could create issues and the project would not be able to move forward under that organizational structure. Staff and Council will continue to research options to assist the City Code Enforcement personnel to create a proactive approach to common enforcement issues.

CITY Manager Coleman provided information regarding the cost related to cleaning and painting of the underpass on Highway 111/East Morris Street. A cost estimate was received from Weaver and Jacobs Constructors in the amount of $95,000. Staff will be researching grant funds available for the project and the YEDC will be approached to determine their willingness to assist in the project. Direction was provided to staff to move forward with research of funding options.

MOTION by Mayor Pro-Tem O'Neill to authorize the City Manager to advertise for bids for the upgrade of SCADA replacement, for the General Land Office CDBG-DR Grant #20-065-085-C246 City of Yoakum Infrastructure Improvement Project. Second was made by Councilmember Klander; motion carried unanimously.

MAYOR Pro-Tem O'Neill made a motion to approve funding allocations of COVID-19 relief grant funds for the purchase of a generator for the Police Department in the amount of $13,626. Motion was seconded by Councilmember Mooney and carried unanimously.
MOTION by Councilmember Mooney to provide continued use of the COVID-19 sick leave benefits to City employees through April 13, 2021. Mayor Pro-Tem O'Neill seconded the motion; motion carried unanimously.

COUNCILMEMBER Klander made a motion to approve an unbudgeted allocation of funds for equipment replacement for a vehicle in the Solid Waste Department for the Transfer Station in an amount not to exceed $35,000 and designate existing the 1994 International truck as surplus equipment. Second was made by Councilmember Mooney. Motion carried unanimously.

UNDER City Manager’s Report, City Manager Coleman provided information regarding a mask distribution event hosted by the DeWitt County Emergency Management Department to be held at the Yoakum Fire Station on January 14, 2021; the Guadalupe Valley Water Association meeting scheduled for January 2021 to be hosted by the City of Yoakum has been cancelled; the Yoakum Area Chamber of Commerce 103rd Annual Banquet is scheduled for January 28, 2021 to be held at the Community Center; and the schedule for the May 1, 2021 election was provided. The Quarterly Financial Report was provided for review. Council was made aware of the pending retirements of long-time employees James Tucker in the Solid Waste Department, Roy Rivera in the Garage – both retiring at the end of January 2021, and Paul Lilley in the Code Enforcement Department at the end of February 2021. Council was provided information regarding the March 2021 bi-annual City Wide Clean Up Program scheduled for March 29th through April 2nd. A report was provided on the Automated Metering Infrastructure project through Ameresco, Inc. The Notice to Proceed has been executed for the AMI portion of the project; staff will be asking Ameresco to rebid the air condition units and may have change orders to process. Funding for the project should be completed by the following week and the project will move forward. Communication continues with certain property owners of outstanding Building and Standards issues that will be brought back for Council review at future meetings. The Dash For Downs that is typically a May event is being reviewed by the organizers to determine when the event will be held. DeWitt County is celebrating the 175th anniversary this year; this will be a year-long celebration. The event will kick-off at 2:00 on March 24th. The demolition contractor is planning for the demolition of the structure on Nelson Street recently purchased by the YEDC. Crews will be closing small portions of Nelson Street during the demolition process to ensure safety. The Police Department will be hosting a pistol shoot on January 27th for area departments.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:13 PM to deliberate regarding 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 7:29 PM with no action resulting from Executive Session.

There being no further business, the meeting adjourned at 7:29 PM

ATTEST:

Theresa A. Bow
City Clerk

Anita R. Rodriguez, Mayor
City of Yoakum, Texas
January 19, 2021
Conference Room – 5:05 PM
City Hall

CITY OF YOAKUM PUBLIC HEARING MINUTES
2021/2022 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PRESENT: Kevin M. Coleman .............................................. City Manager
Theresa A. Bowe .......................................................... City Clerk
John Kaminski ............................................................. GrantWorks

On January 19, 2021 at 5:05 PM, the City of Yoakum held a public hearing to discuss the 2021/2022 Texas Community Development Block Grant Program (TxCDBG) application. The purpose of the hearing is to allow citizens an opportunity to discuss a citizen participation plan, development of local housing and community development needs, amount of TxCDBG funding available, all eligible TxCDBG activities, and use of past TxCDBG funds. Some general eligible TxCDBG activities are:

- Activities directed to public facilities improvements
- Activities to provide access to public facilities
- Housing assistance activities
- Downtown Revitalization/Main Street Program
- Activities to alleviate the effects of unanticipated disasters
- Activities to address situations that pose an imminent threat to public health and safety
- Water and sewer facilities through self-help activities
- Planning activities
- Economic development activities

John Kaminski with Grantworks was present to provide information. Mr. Kaminski thanked the City for selecting Grantworks to assist with this project. Martha Brown will be the lead grant writer for the City of Yoakum. The current grant application will be for a TxCDBG administered by the Texas Department of Agriculture (TDA). It is a competitive grant program that will be managed through the Golden Crescent Regional Planning Commission. Applications are scored based on a standard scoring system. The City along with Grantworks will be working to maximize points.

The application will go before a statewide unified scoring committee from all regions throughout the State. Then the TDA looks at match provided, the median household incomes, added points for past performance, programmatic goals, and how the City has administered past grants. The regional group establishes the highest performance to water improvements, wastewater improvements, and flood and drainage projects.

Projects must benefit at least 51% residents that are low to moderate income. Maximum grant is $350K and is based on population – Yoakum is at 5,996. In that range, the maximum points would require a 15% match or $52,500. Our grant submittal deadline is May 3rd. Mr. Kaminski indicated that Grantworks may be performing door-to-door surveys to determine the low to moderate income documentation for the area to be serviced.

Questions were posed and addressed. City Manager Coleman informed the public that sewer line replacements have been completed; water line replacement that serviced
Davidson, Tucker the other side of HEB has been completed; the sewer line project up and down Crittenden Street and a portion of Hill Street has been completed; and the 2019-2020 cycle is deemed to be a City wide project to complete the loop of the water line out at the park.

Three projects for this grant cycle that will be targeted include: a sewer line project that serves a broad area that is the receiving manhole that serves the lift station on Hwy 111; a water line project that picks up a continuation of a line from the underpass on Hwy 111 all the way to Harwood Road; or the last option – three or four sections of town that are served by gravel roads – the project would be to improve drainage in the areas and pave the streets.

The project that scores the best will be submitted to the TDA. Other grants that have been applied for and received were reviewed for the public’s information. Long range plans were outlined including the electric system project, the City has an adopted 5 year plan, the wastewater systems – the City currently does not have a 5 year plan beyond replacement of older existing infrastructure and equipment.

The meeting closed at 5:58 PM. Information regarding the Texas Community Development Block Grant Program – Regional Program is attached.

Public Hearing Conductor:

Kevin M. Coleman
City Manager

2/10/2021
Date
February 9, 2021
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez ................................................. Mayor
Carl O'Neill .......................................................... Mayor Pro-Tem
Billy Goodrich .......................................................... Councilmember
Glenn Klander .......................................................... Councilmember
Sean Mooney ............................................................. 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 gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meeting of January 12, 2021;
2) Adopt an ordinance (recorded as No. 2177) on second and final reading granting a Specific Use Permit for a Home Occupation as defined in Chapter 52, Division 2. Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances for a two year period to Jimmy and Linda Read for property described as Lot J of Block 1245 in the Svoboda Addition as shown on the official tax roll (for location reference only: 110 Walnut Street)
3) Authorize the purchase of a street sweeper for the Street Department as budgeted from Nueces Power Equipment of Corpus Christi, TX as a sole source provider;
4) Adopt a resolution (recorded as No. 2021-02) reaffirming the City of Yoakum Tax Abatement Policy
5) Proclaim the week of February 22nd – February 26th, 2021 as “Texas Public Schools Week”

MOTION to adopt the Consent Agenda was made by Councilmember Klander. Second was made by Councilmember Goodrich; motion carried unanimously.

THE following items were removed from the Consent Agenda for singular discussion: Information was presented for revisions to the City of Yoakum Personnel Manual clarifying the benefit hours within the Fire/EMS Department. Overtime hours begin after 106 hours of physical time per two week pay period, however, the typical pay period schedule for the Yoakum Fire/EMS Department is 120 hours. The outlined revision provides Fire/EMS personnel the option to utilize sick and/or vacation time as appropriate to maintain the 120 hour pay period; and, discussion was held regarding proposed committees recommended by the Yoakum Economic Development Corporation Board of Directors. Clarification was provided indicating that one Board Member shall serve as Chair on each of the committees to report back to the Board with recommendations. After discussion, Councilmember Klander made a motion to adopt the revision to the City of Yoakum Personnel Manual and approve the recommended YEDC committees, specifically a
Finance Committee, a Marketing and Communications Committee, and a Recruitment and Nomination Committee. Motion was seconded by Councilmember Goodrich and carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued on property located at 306 Concrete Street. Property owner Eric Mendoza was not present. Code Enforcement Officer Dulce Hernandez provided an update for Council indicating that the property owner has completed the demolition with the exception of the concrete steps. The weight of the steps has made it difficult to remove. No complaints have been received from surrounding property owners. City Manager Coleman indicated that City crews would work with the property owner to assist with the removal of the steps. After discussion, Councilmember Mooney made a motion to close the case contingent upon removal of the concrete steps within 60 days. Second was made by Councilmember Klander; motion carried unanimously.

COUNCIL continued in their Second Panel designation to receive an update on previous orders issued on property located at 215 Burt Street. Code Enforcement Officer Hernandez provided details on the progress made on the structure by the property owner. Currently, leveling of the home will need to be redone, the roof is in need of replacement, piers will need to be repaired, and wall construction will need to be addressed, and flooring in the outbuilding is unsafe. After discussion, motion by Councilmember Mooney to order demolition of the back ½ of the structure within 30 days and property owner is required to provide a written plan of action for completion of the needed repairs by the March 9, 2021 City Council meeting. Second was made by Councilmember Goodrich; motion carried unanimously.

CONTINUING in their designation as Second Panel, Council was provided an update on property located at 109 Hope Street. The property owner was not present. A contractor estimate was not provided as ordered by Council at the previous meeting, the property owner plans to remove the tree on the property, does not plan on leveling the structure, and has added plywood to the windows to secure the building. Council reviewed the progress since being presented information at the May 2020 meeting when the property owner appealed the Building and Standards Commission’s demolition order. After discussion, Councilmember Mooney made a motion to reinstate the demolition order to be completed within 30 days; non-compliance will result in City action to contract for demolition bids. Motion was seconded by Councilmember Klander and carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on a recommendation from the Planning and Zoning Commission on a request from Esteban Reyes Barcenas for the renewal of a Specific Use Permit for a Home Occupation on property located at 606 McCarty Street. The property owners were present to provide information and answer questions. The intent is to continue a resale store located on the property. Discussion was held regarding limiting the outdoor displays limited to covered outdoor areas during business hours only. Hearing no further comments, the public hearing was closed.

MOTION by Councilmember Goodrich to adopt an ordinance (recorded as No. 2178) on first reading granting a Specific Use Permit for a Home Occupation as defined in Chapter 52, Division 2, Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances for a five-year period to Esteban Reyes Barcenas for property described as Lot 1 and ½ of Lot 2 of Block 1031 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only; 606 McCarty Street formerly referenced as 608 McCarty Street) in the City of Yoakum. Motion was seconded by Councilmember Klander and carried unanimously.

A request was received from the Yoakum Independent School District to designate certain streets contiguous to various campuses as one-way. The purpose of the designation would be to
control the flow of traffic in the areas to address safety concerns for the students, staff, and buses that load and unload on the proposed streets, as well as the safety of the general public that utilize the streets as a thoroughfare. After discussion, direction was provided to the City Manager to move forward with the process to designate the proposed sections of streets as one-way.

MR. Bobby Wade was present to make a request to Council for traffic control devices at the intersections of O'Connor and Cadwell Streets, and O'Connor and Pulliam Streets. Mr. Wade provided details of the unsafe driving that occurs in the area which causes a hazard in the neighborhood. Stop signs at the proposed intersections would slow traffic to a more appropriate level. After review, direction was provided to the City Manager to move forward with the process to designate the proposed signage.

MOTION by Councilmember Goodrich to approve the new grant programs and revised budget for the Yoakum Economic Development Corporation as presented. Second was made by Councilmember Klander and motion carried unanimously.

BIDS were received and reviewed on the 2021 Street Light Replacement Project and Electric Distribution Improvement Project. After discussion, Mayor Pro-Tem O'Neill made a motion to award the 2021 Pole Replacement Project to LANDRO of Victoria, Texas in the amount of $62,000.00. Second was made by Councilmember Klander and carried unanimously.

COUNCILMEMBER Mooney made a motion to award the 2021 Street Light Replacement Project to AMP Utility Company of Corpus Christi, Texas as low bidder based on per item bid amounts. Second was made by Councilmember Klander and motion carried unanimously.

MOTION by Councilmember Klander to adopt a resolution (recorded as No. 2021-03) approve revisions to the City of Yoakum Manual of Fees, specifically Sub-section VII. Electric Rates & Fees in the Utilities Section, and Sub-section V. Miscellaneous, Item 29. Vital Statistics. Second was made by Councilmember Goodrich. Motion carried unanimously.

A Change Order was presented for consideration in the Energy Services Agreement between the City of Yoakum and Ameresco, Inc. establishing a start date of mid-April 2021 to begin water meter change outs, removed the retrofit of the Public Works Building for the thermostats, and placed the aged air conditioning unit at the Yoakum Community Center back into the project. After review, Mayor-Pro-Tem O'Neill made a motion to approve the Change Order as presented. Second was made by Councilmember Klander and motion carried unanimously.

MOTION by Councilmember Klander to appoint Councilmembers Goodrich and Mooney along with City Manager Coleman to the City/School Summer Recreation Board. Motion was seconded by Mayor Pro-Tem O'Neill and carried unanimously.

INFORMATION was provided by City Manager Coleman of City operations based on COVID-19 reporting. The Library will remain on limited hours and operation while numbers remain at the current level. Little League is moving forward with baseball and softball. The soccer field will be handled in the same manner as the Little League events. The Golf House will remain at the limited capacity of six individuals inside the facility at a time. Golf tournaments will move forward with precautions being put in place.

INFORMATION regarding a volunteer citizen code enforcement team. Councilmember Mooney spoke on the subject indicating that he had provided information to the Yoakum Economic Development Corporation Board of Directors reporting that the proposed volunteer program was not feasible. Councilmember Mooney indicated that YEDC Executive Director Stokes has suggested the YEDC address the blight for the next three years, which was not reciprocated by the Board;
Councilmember Mooney had suggested increasing personnel or becoming more aggressive with enforcement. Assistance from the YEDC for the renovation of the underpass at the Highway 111 entrance from the east into Yoakum was declined by the Board. City Manager Coleman provided information on funding options to assist with the underpass project including researching grant programs that may be available. Staff will continue to research solutions to the issue. Information was presented for Council review of Code Enforcement activity. Additional information will be compiled to be presented at the Joint Council/YEDC meeting scheduled for April 2021.

UNDER City Manager's Report, City Manager Coleman reminded Council of the Yoakum Volunteer Fire Department Benefit scheduled for February 14, 2021. Invitations for the DeWitt County 175th Anniversary Kick-Off Celebration scheduled for March 24, 2021 will be forthcoming. The City of Yoakum Annual Service Awards Banquet that had been postponed from September of 2020 has been rescheduled for March 25, 2021 at the Yoakum Community Center. A reminder of the election information was provided. The City-Wide Clean-Up Program is on schedule for March 29th through April 2nd. The Joint City Council/YEDC meeting was scheduled for April 19, 2021 at 5:30 PM. A status of the Annual Golf Membership payments was provided for Council review. Notice of unpaid annual dues were sent to members indicating those that remain unpaid will be expected to pay when they play. City Manager Coleman reminded Council of Second Panel Building and Standards issues that will be presented at next month's Council meeting. Information was provided on the purchase of a replacement vehicle at the Transfer Station discussed during the previous month's meeting. Mayor Rodriguez provided information from Congressman Cloud's office requesting to coordinate a town hall meeting. Mr. Michael Michalek is planning an event for the presentation of a Historic Preservation Place scheduled for March 21st. A question was posed from the public regarding the timeline for the Sidewalk Project. Staff provided information that bids have been requested and are due by February 25th to be presented to Council for award at the March 9th meeting. Contractors and City crews will be working with businesses so that foot traffic is not inhibited.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:22 PM to deliberate regarding 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 7:35 PM with no action resulting from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

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

ABSENT:

MAYOR Rodriguez called the City Council meeting to order AT 1:05 PM.

COUNCIL considered an extension to the Mayor's declaration of emergency based on the severe Winter Storm "Uri" effecting the entire State of Texas. After review, Mayor Pro-Tem O'Neill made a motion to adopt an order renewing a local state of disaster as a result of Winter Storm "Uri" beginning on February 12, 2021 and beyond, renewing the declaration of disaster initiated on February 17, 2021 by Mayor Anita R. Rodriguez. Second was made by Councilmember Klander. Motion carried unanimously.

DAMAGE from the storm was reviewed. Water pressure had dropped to a dangerously low level causing the pressure to drop to the point of possible contamination to the system. Based on TCEQ regulations, the City was mandated to issue a Boil Water Notice to the water customers. Water pressure was restored quickly, samples were collected and sent for testing. Results were not available at the time of this meeting, but staff is confident the results will show clear. Water has been restored to all City facilities expect the golf course where leaks are being repaired. Water leaks from damaged pipes are being repaired at the Jamison Center, the Electric Shop, and the Fire Station. Other City facilities did well and have not experience any leaks. No structural damage has been identified; street and driveway damage from flushing hydrants is being addressed. One-hundred and ninety hydrants were flushed and the water system is still at an appropriate pressure. A pump at Brushy Creek Well will require attention; Well #5 has been pieced together until a permanent repair can be accomplished; work will need to be done on the generators at the City Hall and Yoakum Police Station; and a grant application is in process for a generator for the Fire Station. City Employees were commended for the outstanding work done and the dedication shown during this disaster.

THE power grid has been reported as stable and the City electrical system is in good condition. Staff is planning on performing maintenance changes through the City's system to alleviate certain problems that worsened during the storm. Current bills to customers have been suspended until Monday, March 1st and waiving cut off fees in an effort to provide customers time to bring their accounts current. The new bills that will be sent out on February 25th are for the billing cycle prior to the storm and will not be affected by the water leaks or power outages; no adjustments will be made on these bills. The next billing cycle will include readings from the time period of the storm; staff recommends waiving the sewer fees on properties where known water leaks caused excessive water usage. Credit for garbage pickup during that week will not be waived. Staff has received verbal information from the Lower Colorado River Authority indicating that the per hour kilowatt rate will remain stable and do not anticipate a difference in the rate for the time period of the storm. The
bills may be higher due to the additional usage for heating homes. City Solid Waste operations are
back to normal; staff recommends moving forward with standard yard waste and chipper truck routes
moving forward, waiving additional fees for large quantities of limbs. A suggestion was made by
Council to split the layout of the City's electrical grid in a more diverse manner to alleviate stress to
the system and citizens on certain grid sections. After discussion, Mayor Pro-Tem O'Neill made the
motion to waive cut off fees for delinquent utility bills due for February, waive sewer fees for properties
where known water leaks caused excessive water usage, and waive additional fees for large
quantities of limbs caused by damage from the winter storm. Motion was seconded by
Councilmember Goodrich and carried unanimously.

DISCUSSION was held regarding employee compensation during the disaster declaration.
Consensus of the Council was to allow overtime for standard employees to be calculated on a daily
8 hour basis, provide payment of the first two days of storm related City facility closures to be paid
as "Holiday" pay, provide employees reporting for duty but informed by their supervisor to remain
home to be compensated for the time they would have been able to work, and additional
compensation for those actually reporting for duty and able to work. Those unable to report for work
would be able to utilize sick and vacation time to cover lost time.

THERE being no further business, the meeting adjourned at 1:50 PM

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

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
March 9, 2021  
Conference Room – 6:00 PM  
City Hall  

REGULAR MEETING OF THE CITY COUNCIL  

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

ABSENT:  None  

MAYOR Rodriguez called the City Council meeting to order and Mayor Pro-Tem O’Neill gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.  

VISITORS were acknowledged and welcomed.  

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.  

1) Adoption of the minutes of the meetings of February 9, 2021 and February 24, 2021;  
2) Adoption of a resolution (recorded as No. 2021-06) accepting a Certificate of Unopposed Candidates, cancelling the May 1, 2021 City of Yoakum General Election and declaring each unopposed candidate elected to office for City Council Places 1, 2, & 3;  
3) Adoption of an ordinance (recorded as No. 2178) on second and final reading granting a Specific Use Permit for a Home Occupation as defined as in Chapter 52, Division 2. Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances on property described as Lot 1 & ½ of Lot 2 of Block 1031 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 606 McCarty Street formerly referenced as 608 McCarty Street) in the City of Yoakum;  
4) Authorize the execution of a renewed billboard contract with Lamar Advertising as recommended by the Hotel Occupancy Tax Advisory Board;  
5) Authorize a HOT Board owned vinyl for advertising use for the Annual Tom Tom Festival on Navarro in Victoria, Texas as recommended by the Hotel Occupancy Tax Advisory Board;  
6) Proclaim the month of April 2021 as Fair Housing Month;  
7) Adopt a revised Hazardous Communication Policy;  
8) Adopt a revised Municipal Swimming Pool Crisis Management Plan as presented;  
9) Adopt a resolution (recorded as No. 2021-07) authorizing the submission of a grant program application to the Texas Office of the Governor for a Local Border Security Program and authorizing the City Manager to act in all matters related to the grant;  
10) Adopt a resolution (recorded as No. 2021-09) authorizing the City Manager to submit a Homeland Security Grant application to the Office of the Governor of Texas for Police equipment and act in all matters related to the grant;  
11) Adopt a resolution (recorded as No. 2021-10) suspending a proposed rate increase requested from Texas Gas Service Company, A Division of ONE Gas, Inc.;
MOTION to adopt the Consent Agenda as presented was made by Councilmember Goodrich. Second was made by Councilmember Klander; motion carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued on property located at 612 Forest Street. Bishop Rhodes was unable to attend the meeting. An appeal was received in December and the property was granted a 90 day extension. The owners are currently working to gain signatures to authorize the sale of the property. The City Attorney provided details: the property is currently under contract with CrossRoads Bank and the building is scheduled to be removed prior to the sale of the property. Code Enforcement Officer Hernandez indicated that the structure was insecure at this time. After discussion, motion by Councilmember Mooney to order the structure to be secured within the next ten days and allow 30 days to complete the demolition of the structure after the title clears. Second was made by Councilmember Goodrich and motion carried unanimously.

COUNCIL continued in their Second Panel designation to receive an update on previous orders issued on property located at 305 Lowrance Street. Stephanie Taylor was present to provide information. A contractor has been secured that will be able to repair the home within the next two months, however, the property owner plans to demolish the structure if the cost will be excessive. An estimate was received from the contractor indicating the work to be completed. After discussion, Council recommended that the property owner demolish the structure and consider replacing the structure with a code compliant structure to reside in. Motion by Councilmember Klander to reinstate the demolition order and allow 30 days to demolish the structure and clear the property. Second was made by Councilmember Goodrich; motion carried unanimously.

COUNCIL received an update on the previous order for property located at 109 Hope Street. The property owner was not present, but requested additional time for contractor to demolish the structure. After discussion, Councilmember Klander made a motion to allow the property owner until April 15, 2021 to clear the property. Second was made by Mayor Pro-Tem O’Neill and motion carried unanimously.

COUNCIL continued in their Second Panel designation to receive an update on previous orders issued on property located at 215 Burt Street. Code Enforcement Officer Hernandez provided details on the progress made on the structure by the property owner. Currently, the property owner is requesting to retain the out structure to utilize for storage until renovations are complete. No progress has been made on the structure as of this date. The property owner has received bids from plumbers, electricians, and a contractor. The City Attorney provided information regarding the delay of the report required by the City delaying the progress on the renovation of the structure. After discussion, motion by Councilmember Mooney to uphold the six-month window to have the structure up to minimum standards providing for a June 2021 completion date, suspending the demolition order on the out-structure until repairs are complete, and require the property owner to provide a monthly update on progress to City Council at their regular Council meetings. Second was made by Councilmember Goodrich; motion carried unanimously.

CONTINUING in their designation as Second Panel, Council was provided an update on property located at 109 Hope Street. The property owner was not present. A contractor estimate was not provided as ordered by Council at the previous meeting, the property owner plans to remove the tree on the property, does not plan on leveling the structure, and has added plywood to the windows to secure the building. Council reviewed the progress since being presented information at the May 2020 meeting when the property owner appealed the Building and Standards Commission’s demolition order. After discussion, Councilmember Mooney made a motion to reinstate the demolition order to be completed within 30 days; non-compliance will result in City action to contract for demolition bids. Motion was seconded by Councilmember Klander and carried unanimously.
THERE being no further business under the Second Panel of the Building and Standards Commission, Council closed the session.

MAYOR Rodriguez opened a public hearing to receive citizen comments on establishing one-way traffic on Simpson Street flowing from E. Hugo to E. Morris Streets; on Goldman Street flowing from Herman to Poth Street; and Culpepper Street flowing from Flato to Wimberly Street during school hours. The request was received from the Yoakum Independent School District in an effort to create a safer environment for students, faculty, and parents during school hours. Hearing no comments from the public, the public hearing closed.

MOTION by Mayor Pro-Tem O’Neill to adopt an ordinance (recorded as No. 2179) on first reading establishing one-way traffic on Simpson Street flowing from Hugo to E. Morris Streets; on Goldman Street flowing from Herman to Poth Street; and Culpepper Street flowing from Flato to Wimberly Street during school hours. Motion was seconded by Councilmember Mooney and carried unanimously.

INFORMATION was presented by Acting Chief of Police Michael Pierman regarding a recommendation for the placement of traffic control devices at certain intersections. After review and discussion, Councilmember Mooney made a motion to adopt an ordinance (recorded as No. 2180) establishing traffic control devices at the intersection of O’Connor and Cadwell/Pulliam Streets. Second was made by Councilmember Klander and motion carried unanimously.

MOTION by Councilmember Mooney to adopt a resolution (recorded as No. 2021-04) approving designated authorized signatories (Form A201 and Form A202), adopting a Fair Housing Policy and appointing a Civil Rights Officer and authorizing the Mayor to sign all supporting documentation, and appointing Carl Esser of Esser & Company Consulting LLC as Labor Standard Officer in coordination with the 2019-2020 Texas Community Development Block Grant Contract No. 7220529 through the Texas Department of Agriculture. Second was made by Councilmember Klander. Motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to award the contract for sidewalk construction in coordination with the TxCDBG Contract No. 7219312 to WJC Constructors of Smithville, Texas, in the amount of $345,517.77 and allocate additional local funding as needed from the Water Capital Improvement Project Funds. Motion was seconded by Councilmember Klander and carried unanimously.

MOTION by Mayor Pro-Tem O’Neill to approve a Citizen Participation Plan for the City of Yoakum, adopt a resolution (recorded as No. 2021-05) authorizing the submission of an application to the Texas Department of Agriculture for a 2021-2022 Texas Community Development Block Grant Program – Community Development Fund grant of up to $350,000 and designate the City’s authorized signatories for grant related activities and award the engineering contract to TRC Solutions of Austin, Texas. Second was made by Councilmember Mooney and motion carried unanimously.

MOTION by Mayor-Tem O’Neill to authorize the City Manager to advertise for Requests for Proposals for grant administrators and engineering firms for the resubmission for a sidewalk improvement grant through the Texas Department of Agriculture for a TxCDBG Downtown Revitalization Program Grant. Motion was seconded by Councilmember Klander and carried unanimously.

COUNCILMEMBER Mooney made a motion to award the 2021 Street Improvement Project contract to the low bidder, H&C Construction of Shiner, Texas in an amount not to exceed
$79,837.71. Second was made by Councilmember Goodrich; motion carried unanimously.

STAFF requested Council set up a workshop to discuss the goals and objectives for the City Code Enforcement functions. A special workshop was scheduled for March 22, 2021 at 5:00 PM.

INFORMATION was provided by City Manager Coleman of City operations based on COVID-19 reporting. Executive order from the Governor rescinded the mask mandate and occupancy limits. This allows business owners to create their own rules for their operations. City operations would recommend public wear masks in City buildings. Staff will continue to be required to wear a mask when they are working within 6 feet of other individuals; occupancy restrictions will be lifted on public buildings except police, fire, and library. The Golf House will be open for general business with limited social events. The consensus of the Council was to approve the recommendations as presented.

UNDER City Manager’s Report, City Manager Coleman reminded Council of the the DeWitt County 175th Anniversary Kick-Off Celebration scheduled for March 24, 2021. A special meeting is scheduled for March 22 at 5:00 PM. The City of Yoakum Annual Service Awards Banquet that had been postponed from September of 2020 has been rescheduled for March 25, 2021 at the Yoakum Community Center. The City-Wide Clean-Up Program is on schedule for March 29th through April 2nd. The Joint City Council/YEDC meeting was scheduled for April 19, 2021 at 5:30 PM. Council was provided the Annual Racial Profiling Report from the Yoakum Police Department. Texas Municipal League Region 11 has scheduled a virtual quarterly meeting for March 11, 2021. Council was informed of funds received from FEMA/TDEM for COVID-19 relief funds. Council will be asked to review a property exchange at the junction of Kenedy and Montgomery Streets at the next City Council meeting. Paul Lilley was welcomed as a returning retiree in a part-time capacity to assist the Code Enforcement Department. Staff will be working jointly with the Lavaca County Office of Emergency Management on a vaccination clinic to be schedule. Ameresco is on target to begin the Automated Meter Infrastructure project by the end of the week. A Tom Tom Meeting has been scheduled by the Yoakum Area Chamber of Commerce for 5:00 PM on March 22, 2021

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:27 PM to deliberate regarding the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072), to discuss and electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551-086), and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Police Chief (V.T.C.A., Gov. Code, Sec. 551.074). Themeeeting reopened to the public at 8:36 PM. Action resulting from Executive Session: Mayor Pro-Tem O’Neill made a motion to purchase an easement from Jason Garcia for a drainage project in the amount of $15,000. Motion was seconded by Councilmember Goodrich and carried unanimously.

THERE being no further business, the meeting adjourned at 8:36 PM

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
March 22, 2021
Conference Room – 5:00 PM
City Hall

SPECIAL EMERGENCY MEETING OF THE CITY COUNCIL

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

ABSENT:  
Glenn Klander ....................................................... Councilmember

MAYOR Rodriguez called the City Council meeting to order AT 5:00 PM.

COUNCIL received information regarding Requests for Qualifications in coordination with the 2021-2022 Texas Community Development Block Grant Program. After discussion, Mayor Pro-Tem O'Neill made motion to award the engineering contract to TRC Solutions of Austin, Texas. Second was made by Councilmember Mooney. Motion carried unanimously.

CITY Manager provided an overview of the Code Enforcement/Inspection Department job functions. Discussion was held regarding priorities of the office, suggestions were received to modify the ordinances to include mandatory inspections on homes that are changing responsible parties for utilities; aesthetics were discussed. Review of current ordinances was held and proposals were made to expand definitions or update the current definitions. Software upgrades were discussed. The City Attorney is reviewing the junk vehicle ordinances and mechanisms that will assist with local mechanic shops. Discussion was held regarding streamlining the codes, streamlining the processes, researching technology that will assist with tracking and processing, and issues regarding junk cars will be followed up on by staff for presentation to the Council at a future meeting.

THERE being no further business, the meeting adjourned at 6:13 PM

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

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

ABSENT:  
Sean Mooney .................................................................Councilmember

MAYOR Rodriguez called the City Council meeting to order AT 5:45 PM.

COUNCIL received information regarding Requests for Qualifications in coordination with the 2021-2022 Texas Community Development Block Grant Program. After discussion, Councilmember Goodrich made motion to award the grant consultant contract to Esser & Company Consulting LLC of Uvalde, Texas. Second was made by Councilmember Klander. Motion carried unanimously.

THERE being no further business, the meeting adjourned at 5:47 PM

Anita R. Rodriguez, Mayor  
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM  
TEXAS
April 13, 2021
Conference Room – 5:00 PM
City Hall

SPECIAL MEETING/WORKSHOP OF THE CITY COUNCIL

PRESENT: Anita R. Rodríguez .................................................. Mayor
          Carl O’Neill ................................................................. Mayor Pro-Tem
          Billy Goodrich ....................................................... Councilmember
          Glenn Klander ......................................................... Councilmember
          Sean Mooney ............................................................. 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 in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:00 PM and opened the meeting to the public.

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, 2020. 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. After discussion and review, Councilmember Klander made a motion to accept the Fiscal Year 2020 Audit Report as presented. Councilmember Goodrich seconded the motion; motion carried unanimously.

There being no further business, the meeting adjourned at 5:25 PM.

Carl O’Neill, Mayor

ATTEST:

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

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

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Mooney gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meetings of March 9, 2021, March 22, 2021 and March 25, 2021;
2) Adoption of an ordinance on second and final reading establishing one-way traffic on Simpson Street flowing from E. Hugo to E. Morris Streets; on Goldman Street flowing from Herman to Poth Street; and Culpepper Street flowing from Wimberly to Flato Street;
3) Adoption of an ordinance on second and final reading establishing traffic control devices at the intersection of O’Connor and Cadwell/Pulliam Streets;
4) Proclaiming the month of May 2021 as Yoakum Business Appreciation Month;
5) Proclaiming the month of May 2021 as Historic Preservation Month;
6) Approve proclamations acknowledging Public Library Week, Telecommunications Operator Week, Administrative Professionals Week, Municipal Clerks Week, Police Officer Week, Emergency Medical Service Week, Public Works Week, and Economic Development Week
7) Appointment of Evelyn Miculka as a Board Member to the Yoakum Housing Authority Board of Directors for a two-year term;
8) Approve the closure of certain streets in coordination with the Carl & Mary Welhausen Library Summer Reading Program on June 2, 2021 and July 23, 2021;
9) Approve authorizing the waiving of fees at the City Pool in conjunction with the Library Summer Reading Program;
10) Approve authorizing the waiving of certain Library fines in coordination with the Library Summer Reading Program; and
11) Authorize the City Manager to advertise for bids for the Yoakum SCADA Improvements Project, Texas General Land Office Contract No. 20-065-085-C246 and Dunn Street/Transfer Station rehabilitation project.

MOTION to adopt the Consent Agenda as presented was made by Councilmember Klander. 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 on previous orders issued on property located at 215 Burt Street. The owner was not present. Code Enforcement Officer Dulce Hernandez provided an update to Council: very little has been done to the main structure; the property owner has demolished a portion of the rear structure; and the property owner has not been in contact with Code Enforcement since the last Council meeting and has not made any repairs to the main structure as of this date. As per Council action at a previous meeting, the property owner has until June 2021 to make significant improvements to the main structure in order to maintain the stay of demolition. The property will be reviewed again at the May 2021 meeting.

CONNIE Zimmerman was present representing the Yoakum Area Chamber of Commerce to make a request for the closure of certain streets and utilization of City property in coordination with the 93rd Annual Tom Tom Festival activities to be held June 4th – 5th, 2021. Mrs. Zimmerman indicated that the Kiddie Parade has been cancelled, and Chamber representatives have been in contact with City Manager Coleman regarding adjusting the route to accommodate the downtown sidewalk construction project.

DISCUSSION was held regarding the request from the Yoakum Area Chamber of Commerce to authorize “No Parking” designation on the portion of Davis Avenue between Vollentine Street and S. Park Road on Saturday, June 5, 2021 in coordination with the 93rd Annual Tom Tom Festival. Mrs. Zimmerman indicated that there would not be an event at the Park on Saturday night; the scheduled dance will be held at the Yoakum Community Center. After review, Councilmember Mooney made a motion to approve the request from the Yoakum Area Chamber of Commerce for the closure of certain streets and utilization of City property on June 4 – 5, 2021, and authorizing “No Parking” designation on the portion of Davis Avenue between Vollentine street and S. Park Road on Saturday, June 5, 2021 in coordination with the 93rd Annual Tom Tom Festival activities. Second was made by Councilmember Kander and motion carried unanimously.

CITY Manager Coleman provided details regarding a proposed grant application to the Texas Department of Agriculture. The grant will require matching funds in the amount of $52,000 or 15% of the grant request. After review, Mayor Pro-Tem O'Neill made a motion to adopt a resolution authorizing the submission of an application to the Texas Department of Agriculture for a 2021-2022 Texas Community Development Block Grant Program – Downtown Revitalization Program grant of up to $350,000 and designate the City’s authorized signatories for grant related activities. Motion was seconded by Councilmember Kander and carried unanimously.

CASEY McKee was present to make a request to Council to make application to the Texas Department of Transportation Aviation Division for funding assistance for airport improvements. Mrs. McKee indicated that there were several steps to be completed before funding would be provided; the first step is to submit a letter of intent to the Texas Department of Transportation indicating Yoakum’s needs and priorities for the airport. With five airplanes being housed at the Municipal Airport and local businesses utilizing the facility, it would be beneficial to make improvements. City Manager Coleman provided information regarding the report received from the last inspection which indicates that the runway is in fair to poor condition and is in need of resurface and restriping. Should the funding be awarded, the City would be required to commit 10% matching funds. After discussion, Councilmember Kander made a motion to approve submission of a letter of intent requesting inclusion of an airport runway improvement project through the Texas Department of Transportation Aviation Capital Improvement Project. Mayor Pro-Tem O'Neill seconded the motion; motion carried unanimously.

CITY Manager Coleman provided details regarding property issues on Montgomery Street which include encroachment of private property by City right-of-way, and the encroachment of City property by the private property owner. The City’s alley running along the 104 Montgomery side property line encroaches into the owner’s property. The owner plans to build a new fence and would like to build to the property line. That would require the City realigning its alley. The owner is willing to release
a portion of its property to accommodate the existing alley improvements. The City controls an area of right of way where the plat of Kennedy Street does not align with the plat of Montgomery Street, leaving a usable and unneeded piece of Right-of-Way. The released Right-of-Way would allow the property owner additional access and parking. After discussion, Mayor Pro-Tem O’Neill made a motion authorizing the Mayor to enter into an agreement with property owners to exchange 900 square feet adjacent to Lots 7-9 of Block 1166, Lavaca County (104 Montgomery Street) for 765 square feet owned by the City of Yoakum. Motion was seconded by Councilmember Mooney and carried unanimously.

DISCUSSION was held regarding procedures related to junk vehicle abatement. Review and consider action on procedures related to junk vehicle abatement. After review, Councilmember Goodrich made a motion to adopt a resolution amending resolution 2001-09 pertaining to the abatement procedures for junk vehicles, appointing Council itself as the hearing board for public hearings required during the junked vehicle code enforcement process. Second was made by Councilmember Klander; motion carried unanimously.

MOTION by Councilmember Klander to adopt a resolution amending the City of Yoakum Manual of Fees and Service Charges, specifically Item 18. Nuisance Abatement Administrative Fee, Subsection V. MISCELLANEOUS, in the GENERAL SECTION. Mayor Pro-Tem O’Neill seconded the motion. Motion carried unanimously.

DETAILS were provided by City Attorney Kvinta regarding Ordinance No. 1764 pertaining to the abatement of junk vehicles. The City has the authority to expand the junk vehicle ordinance in certain aspects. Information was provided. Council provided direction to staff to move forward with recommendations to bring a revised ordinance back to Council for consideration at a future meeting.

CONSIDERATION regarding long-term code enforcement violations on specific properties within the City of Yoakum was held. Council provided direction to staff to move forward and designate five properties per month to process for abatement.

CITY Manager Coleman provided information regarding COVID-19 issues for Council consideration to City operations. After discussion, Councilmember Klander made a motion to approve COVID-19 sick leave policy for City Personnel through June 8, 2021. Second was made by Councilmember Mooney and motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to approve a Municipal Court policy as presented. Motion was seconded by Councilmember Mooney and carried unanimously.

MAYOR Pro-Tem O’Neill made a motion to approve proposed Library Operations as presented. Councilmember Klander seconded the motion. Motion carried unanimously.

CITY Manager Coleman provided information regarding proposed use of Corona Virus Relief Funds. The City of Yoakum’s share calculated to $326,000. These funds must be spent on pandemic related items. Twenty-five (25%) percent can be spent on other City related issues. Items identified to date are an EMS unit, an HVAC unit for the training room at the Fire Station, an EMS unit radio, and a larger generator for the Police Department Mobile Command Unit. Roughly $30,000 has been earmarked for a website redesign, and $20,000 for a permanent structure surrounding the service desk areas at the Library and Golf House. After review, Mayor Pro-Tem O’Neill made a motion to approve the expenditures as presented. Second was made by Councilmember Goodrich and motion carried unanimously.

MOTION by Councilmember Mooney to authorize the City Manager to enter into a pre-employment agreement with potential non-certified employees as presented indicating that personnel would be liable for all expenditures should the employee default on the contract. Second
was made by Councilmember Goodrich. Ayes – Mayor Rodriguez, Mayor Pro-Tem O’Neill, Councilmembers Goodrich and Mooney; Nay – Councilmember Klander. Motion carried.

UNDER City Manager’s Report, Council was provided information regarding the 93rd Annual Tom Tom Festival scheduled for June 4-5, 2021. The Bi-Annual City Wide Clean-Up Program has been scheduled for March 29th through April 2nd, 2021. The Joint Council/YEDC Meeting has been cancelled until further notice. The Quarter Investments Report was provided for review. A report from the Texas Commission on Fire Protection commending Fire Department commending the Yoakum Fire Department on an excellent inspection was provided. A report on Automated Meter Infrastructure project through Ameresco was provided indicating that the project will begin installation procedures in May instead of April due to equipment adjustments that needed to be made. Review was held of outstanding Building and Standards issues: 612 Morris Street – the structure has been demolished; the structure at 109 Hope Street has been demolished; and staff will be going out for bids for the demolition of the structure located at 305 Walnut Street. Uses of additional funding through American Relief Fund including COVID-19 sick leave funding and recovery of lost revenue was reviewed. Council will need to determine a replacement of the Council Representative on the Yoakum Volunteer Fire Department Pension Board at the May 2021 Council meeting. Discussion was held of a ceremonial recognition of Mayor Annie Rodriguez for years of service prior to the May 2021 Council meeting.

MAYOR Rodriguez announced that the Council would enter into Executive Session at 7:37 PM to deliberate regarding the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072); discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086); and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Police Chief (V.T.C.A., Gov. Code, Sec. 551.074). The meeting reopened to the public at 8:47 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem O’Neill to provide 50% of the amount billed from the Lower Colorado River Authority for Winter Storm Uri customer usage from reserve funds and bill the remaining amounts over the next six months to City utility customers. Second was made by Councilmember Klander and motion carried unanimously.

THERE being no further business, the meeting adjourned at 8:48 PM

[signature]
Carl O’Neill, Mayor
City of Yoakum, Texas

ATTEST:

[signature]
Theresa A. Bowe, City Clerk
April 26, 2021
Conference Room – 5:00 PM
City Hall

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

PRESENT: Anita R. Rodriguez .................................. Mayor/YEDC Director
Carl O’Neill .......................................................... Mayor Pro-Tem
Billy Goodrich .................................................... Councilmember
Glenn Klander ..................................................... Councilmember
Sean Mooney ..................................................... Councilmember/YEDC Director
Gery Maneth ...................................................... YEDC President
Arthur Hermann .................................................. YEDC Director
Linda Schmidt ................................................... YEDC Director
Kevin M. Coleman ............................................. City Manager
Theresa A. Bowe .................................................. City Clerk
Terry Stokes ....................................................... Economic Development Executive Director
Kenneth E. Kvinta ............................................... City Attorney

ABSENT: Whitney Boone ......................................... YEDC Vice-President

MAYOR Rodriguez called the meeting to order MAYOR Rodriguez called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:00 PM and opened the meeting to the public.

MAYOR Rodriguez announced that the Council and YEDC would enter into Executive Session at 5:00 PM to deliberate regarding 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 6:01 PM. Action resulting from Executive Session: Motion by Mayor Pro-Tem O’Neill to approve the concept of a second industrial park and approve the YEDC to move forward with the procedures to purchase property. Second was made by Councilmember Mooney; motion carried unanimously.

CONSIDERATION was held for a potential Type B Sales Tax Project pertaining to the purchase, exchange, or lease of real property. Director Schmidt made a motion directing staff to move forward with procedures for a public hearing to be held April 30, 2021 in relation to the project. Motion was seconded by Councilmember/YEDC Director Mooney. Ayes – YEDC Directors Mooney, Schmidt, Rodriguez, and Maneth; Abstained – Hermann. Motion carried.

INFORMATION was presented to the Council regarding the new YEDC office headquarters to be established at a building in the downtown area. Executive Director Stokes will be contacting the new business in the downtown district – Alpha Nutrition. Discussion was held regarding established businesses in the downtown area including the Health Cottage. Discussion was also held regarding the waste treatment and waste flow from Yoakum Packing and Eddy Packing.

THERE being no further business, the meeting adjourned at 6:08 PM

Carl O’Neill, Mayor
City of Yoakum, Texas

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

PRESENT: Anita R. Rodriguez ................................................. Outgoing Mayor
Glenn Klander ............................................................... Mayor Pro-Tem
Sean Mooney ................................................................. Councilmember
Tanya Wenzel ................................................................. Councilmember
Kevin M. Coleman ............................................................ City Manager
Kenneth E. Kvinta ............................................................. City Attorney
Theresa A. Bowe ............................................................... City Clerk

ABSENT: Carl O'Neill .............................................................. Mayor elect
Billy Goodrich ................................................................. Councilmember

MAYOR Rodriguez called the City Council meeting to order and Councilmember Mooney gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

MAYOR Rodriguez presented Certificates of Election to Carl O'Neill, Glenn Klander, and Tanya Wenzel. City Clerk Bowe administered the Statements of Elected Officers and Oaths of Office to each.

COUNCILMEMBER Klander made a motion to elect Carl O'Neill as Mayor and Glenn Klander as Mayor Pro-Tem. Motion was seconded by Councilmember Wenzel; motion carried unanimously.

MAYOR Rodriguez turned the meeting over to Mayor Pro-Tem Klander.

VISITORS were acknowledged and welcomed.

COUNCIL recognized outgoing Mayor Annie Rodriguez for her 28 years of service to the City Council as Councilmember and eighteen years serving as Mayor. Mayor Pro-Tem Klander thanked Ms. Rodriguez for her dedicated service to the City of Yoakum in the many capacities that she has served.

INFORMATION was presented by the City Manager regarding the proposed naming of the Front Street Railroad Park as the Anita R. Rodriguez Railroad Park. Motion by Councilmember Mooney to table the item until additional information is received regarding cost estimates and planned improvements. Motion was seconded by Councilmember Wenzel and carried unanimously.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meetings of April 13, 2021, and April 26, 2021;
2) Authorize the City Manager to enter into an interlocal agreement with DeWitt County for emergency notification services through Emergency Communications Network (CodeRED);
3) Authorize the closure of certain streets in coordination with the Annual Memorial Day event at the Yoakum Fire Station;
4) Approve the 2021 Municipal Pool Operating schedule;
5) Authorize the City Manager to advertise for bids for street material
6) Approve the use of City facilities at the Municipal Golf Course for a Cross Country Meet scheduled for August 21, 2021 hosted by the Yoakum Independent School District
7) Adopt the following policies as recommended by Library staff and the Library Board as presented:
   1) Hotspot Lending Policy
   2) Laptop Lending Policy
   3) Launchpad Policy
   4) National Voter Registration Act (NVRA) Implementation Plan

   MOTION to adopt the Consent Agenda was made by Councilmember Mooney. Second was made by Councilmember Wenzel; motion carried unanimously.

   THE following items were removed from the Consent Agenda for singular discussion: nominations for the Housing Authority Board of Directors have not been received as of this date and will be brought to Council at a later meeting; Council reviewed the information proposing the closure of streets and use of City personnel in coordination with the 2021 Yoakum ISD Graduation Procession. Initial discussion was to hold the procession on Friday, May 21, 2021; however, scheduling issues presented challenges. A recommendation was made to hold the procession on Sunday, May 23, 2021 utilizing the same route. After review and discussion, Councilmember Mooney made a motion to authorize the closure of certain streets and use of City personnel in coordination with the 2021 Yoakum ISD Graduation Procession. Second was made by Councilmember Wenzel and carried unanimously.

   COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued on property located at 215 Burt Street. The owner was not present. The item was tabled until the June 2021 meeting as established previously.

   Council received an appeal to the demolition order at 815 Cadwell Street from the property owner. The property owner was present and requested an additional six months to make improvements to the property to bring the structure to minimum standards. Information was provided by Code Enforcement Officer Dulce Hernandez indicating that the structure will need all new plumbing, electrical, walls and other improvements to bring the property into compliance. Councilmember Mooney made a motion to deny the appeal and uphold the demolition order. Second was made by Councilmember Wenzel and motion carried unanimously.

   Information was presented by Jessie Ford for an appeal to the demolition order at 710 Baldwin Street. The structure will need plumbing repaired and/or replaced by a licensed plumber and electrical repairs by a licensed electrician. The property had previously been under the care of other family members. Mr. Ford began cleaning the exterior of the property after he was notified of the demolition orders and has a goal to bring the property up to standards and maintain the structure as a family property. After discussion, Councilmember Mooney made motion to deny the appeal and to uphold the demolition order. Motion was seconded by Councilmember Wenzel and carried unanimously.

   THERE being no further business under the Second Panel of the Building and Standards Commission, Council closed the session.

   REVIEW and discussion of property code violation issues at 505 Moffitt Street. The property has not been reviewed by the Building and Standards Commission as of this date. The manufactured home on the property is allowed under a specific use permit. Staff is requesting direction from the Council on the property. The property owner, Mr. Ronald Law and his attorney were present to provide information and answer questions. The structures on the property have no electricity, and no water is utilized although water is flowing to the meter. The property owner has been sleeping in the RV located on the property which is not allowed by City ordinance. The property owner indicated that he does not have the funds to make the necessary repairs to the structures. Suggestions were made to Mr. Law to bring the RV up to livable standards and place it in an approved RV Park if he
intends to reside in it. Mr. Law was directed to provide a plan of action to bring the property into compliance and abate the nuisances located on the property. Mr. Law's attorney requested Council authorize the property owner to fence the property to keep the area out of the public eye and does not believe that 30 days is enough time and is asking for compassion from the Council for the impoverished City. Mr. Law indicated that he is working on cleaning the property on an ongoing basis. Council directed staff to move forward with rescinding the specific use permit; Mr. Law needs to bring the RV to safe living standards and may reside there while working on the property and provide a definitive timeline of the cleaning of the property, staff will provide a letter clarifying the information to the property owner an outlining the timeframe allowed for use of the RV has living quarters during the demolition/construction process.

DISCUSSION was held regarding property code issues at 703 Simpson Street. The property owner was not present. Issues have arisen next to the residential home concerning debris and storage from the property owner's construction business. A large portion of the debris is an accumulation of other items. The property was reviewed by the Court in February 2021. Letters from the Code Enforcement Office have been issued. The property is not zoned for commercial and can not legally be changed to commercial. Council provided direction to staff to allow the property owner 90 days to remove the debris. If the property is not brought into compliance within that timeframe, the property shall be placed on the docket to be heard by the Building and Standards Commission.

INFORMATION was presented regarding a proposed amendment to Ordinance 1764 pertaining to the abatement of junk vehicles. City Attorney Kvinta is reviewing guidelines to ensure compliance with State laws and, along with staff will be working through details of procedures to put in place. The finalized ordinance will be brought to Council for consideration at a future meeting.

COUNCILMEMBER Mooney made a motion to approve the use of reserve funds for City facility building repairs, equipment purchases, and to cover over budget bids for the SCADA upgrade project. Second was made by Councilmember Wenzel and motion carried unanimously.

MOTION by Councilmember Mooney to appoint Councilmember Billy Goodrich and Mayor Pro-Tem Glenn Klander to the Golden Crescent Regional Planning Commission's General Assembly and Councilmember Goodrich as the Board of Director's Representative. Motion was seconded by Councilmember Wenzel and carried unanimously.

COUNCILMEMBER Mooney made a motion to appoint Mayor Pro-Tem Klander to the Yoakum Volunteer Fire Department Pension Board as Council Representative. Councilmember Wenzel seconded the motion; motion carried unanimously.

CITY Manager Coleman provided an update of the Automated Meter Infrastructure installation project through Ameresco. The installation process has begun on the water meters; all material is in stock and the company has estimated a completion date of October 2021. The electric installation is delayed until additional parts have been received. The HVAC change out at the Community Center will be a six-week project. An upgrade of the downtown pedestal lights will begin once the specialty lights are received. After review and discussion, Councilmember Mooney made a motion to approve a pay application for the work completion to-date in the amount of $881,110.03. Motion was seconded by Councilmember Wenzel and carried unanimously.

UNDER City Manager's Report, Council was provided information regarding the 93rd Annual Tom Tom Festival scheduled for June 4-5, 2021. A resignation letter from Arthur Hermann, III from the Yoakum Economic Development Corporation Board of Directors was received. Council was reminded of the Joint City Council/Building and Standards Commission meeting scheduled for May 25, 2021. City facilities will be closed for Memorial Day on Monday, May 31, 2021. The Library Summer Reading Program schedule was provided. An update of active and pending grant applications was provided for review. A list of appointments due for the June 2021 Council meeting was provided. Information was presented regarding funding through the American Relief Fund; four uses have been outline including water and sewer infrastructure. Roughly $1.3 to 1.5 million dollars
will be released through the fund and rules regulating the use of those funds will be released at a later date.

MAYOR Pro-Tem Klander announced that the Council would enter into Executive Session at 7:45 PM to deliberate regarding the purchase, exchange, lease, or value of real property (T.C.A., Gov. Code, Sec. 551.072); and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Police Chief (T.C.A., Gov. Code, Sec. 551074). The meeting reopened to the public at 8:39 PM. Action resulting from Executive Session: Motion by Councilmember Mooney to adopt a resolution on first reading approving the allocation of Type B Sales Tax funds for the purchase, demolition and site work on property described as A0044 Patrick Ryan Addition, approximately 58 acres (for location reference: 1267 US Hwy 77A North, Yoakum, Texas) for a project proposed by the Yoakum Economic Development Corporation in an amount not to exceed $1,000,000. Second was made by Councilmember Wenzel and motion carried unanimously.

Councilmember Mooney made a motion to adopt a resolution on second and final reading approving the allocation of Type B Sales Tax funds for the purchase, demolition and site work on property described as A0044 Patrick Ryan Addition, approximately 58 acres (for location reference: 1267 US Hwy 77A North, Yoakum, Texas) for a project proposed by the Yoakum Economic Development Corporation in an amount not to exceed $1,000,000. Second was made by Councilmember Wenzel and motion carried unanimously.

THERE being no further business, the meeting adjourned at 8:41 PM.

Carl O’Neill, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
May 25, 2021
Conference Room – 5:00 PM
City Hall

JOINT MEETING OF THE
YOAKUM CITY COUNCIL and
BUILDING AND STANDARDS COMMISSION

PRESENT:
Carl O’Neill ........................................ Mayor
Glenn Klander ..................................... Mayor Pro-Tem
Billy Goodrich .................................... Councilmember
Sean Mooney ....................................... Councilmember
Tanya Wenzel ....................................... Councilmember
Connie Zimmerman ............................. B&S Commissioner
Bobby Wade ......................................... B&S Commissioner
Michael Machalec ................................. B&S Commissioner
Sandra Bergey ...................................... B&S Commissioner
Mark Manning ...................................... B&S Commissioner
Kevin M. Coleman ............................... City Manager
Theresa A. Bowe ................................... City Clerk
Kenneth E. Kvinta ............................... City Attorney

ABSENT:
Harvey Pekar, Chair ................................ B&S Commissioner
Eddie Varela, Jr. ..................................... B&S Commissioner
Stuart Kalisek ...................................... B&S Commissioner

MAYOR O’Neill called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:00 PM and opened the meeting to the public at 5:17 PM.

CITY Manager Kevin Coleman provided an overview of the reason for the meeting and the function of the Building and Standards Commission and the Code Enforcement Office. Beginning at the June 2021 City Council meeting, Council will begin hearing the complaints regarding junk vehicles to bring to compliance. Dan Pelech requested additional information regarding guidelines for landlords within the City limits and suggested working at public relations efforts. Citizen comments were received regarding the consistency that the restrictions are being addressed. Minimum housing standards for residential structures were reviewed. Discussion was held regarding the responsibility of the property owner and tenants for the condition of the property. Commissioner Zimmerman provided details on the properties that are normally seen by the B&S Commission meeting; most problems brought to their attention are vacant and the property owners are unable or unwilling to bring the property up to standards. Discussion was held regarding properties that have been brought up to standards after going through the Building and Standards process. George Scott was present to make suggestions regarding an ordinance for Code Enforcement to be able to enter a property for an inspection. Mayor O’Neill indicated that the City will post the minimum standards notice in the paper; publish on the website, post on social media to provide necessary information to the public regarding what is expected of residents in an effort to educate the citizen. Additional suggestions were made to improve the pride of the citizens in Yoakum.

Vehicles will be addressed by Council every 30 days rather than by the B&S ever 3 months which may help alleviate the issues and provide some relief to the Building and Standards Commission.

THERE being no further business, the meeting adjourned at 6:40 PM

Carl O’Neill, Mayor
City of Yoakum, Texas

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

PRESENT: Carl O'Neil .................................................. Mayor
Glenn Klander .................................................. Mayor Pro-Tem
Billy Goodrich .................................................. Councilmember
Sean Mooney .................................................. Councilmember
Tanya Wenzel .................................................. Councilmember
Kevin M. Coleman .................................................. City Manager
Kenneth E. Kvinta .................................................. City Attorney
Theresa A. Bowe .................................................. City Clerk

ABSENT: None

MAYOR O'Neil called the City Council meeting to order and Mayor Pro-Tem Klander gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed. Joe Kelley with Ameresco was present and provided an update on the automated meter infrastructure installation project. The project has been delayed slightly due to a worldwide shortage on certain parts; water is going well; RTS or EnvoCore are onsite doing installations; the large meter installers are currently in town and are attempting to schedule meter installations in order to have the least amount of impact on the businesses as possible. Ninety-seven percent of the meters that have been installed are communicating correctly. Installation is going slower due to the rainy weather being experienced. Installers will be working on the lighting and HVAC installations the week of July 12th, including lighting upgrades to LED lights in the fire station, library, downtown, the airport runway, and the decorative lighting. Anticipated completion is around September 2021. Ameresco will be bringing in additional staff to speed up the process and make up for the delays that have been experienced.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meetings of May 11, 2021, and May 25, 2021;
2) The following appointments were approved as presented:
   a. Bobby Wade & Vicki White to the Planning and Zoning Commission for 3-year terms;
   b. Mark Jahn, Scott Moehlman, Darlene Renken, Michael Machalec, and Harry Sherman to the Zoning Board of Adjustment for 3-year terms;
   c. Harvey Pekar, Connie Zimmerman, Bobby Wade, Michael Machalec, Sandra Bergey as members, and Eddie Varella, Sr., Stuart Kalisek, Mark Manning, and Annie Rodriguez as alternates to the Building and Standards Commission for 2-year terms;
   d. Malissa Williams, Terri Dieringer, and Amy Malik to the Library Board for 2-year terms;
   e. Dwayne Bowe and Bill Natho to the Construction Board of Adjustment and Appeals for 3-year terms;
   f. Lindsey Lacina and Dennis Kutach to the Parks and Recreation Advisory Board for 2-year terms; and
g. Pam Ward to the Yoakum Housing Authority Board of Commissioners for a 2-year term
3) Authorize the repeal of an order declaring a local state of disaster as a result of COVID-19 Corona Virus initiated on March 14, 2020;
4) Adopt a resolution (recorded as No. 2021-15) authorizing signatories for the bank depository;
5) Authorize the City Manager to advertise for Requests for Proposals for grant consulting services related to a Texas Department of Emergency Management Hazard Mitigation Grant Program/Winter Storm; and
6) Authorize the City Manager to advertise for bids for street sweeping services.

MOTION to adopt the Consent Agenda was made by Councilmember Goodrich. Second was made by Mayor Pro-Tem Klander; motion carried unanimously.

THE following item was removed from the Consent Agenda for singular discussion: the annual renewal for the employee health care coverage was reviewed. Discussion was held regarding available options. After review, Councilmember Mooney made a motion to authorize the City Manager to execute a Rerate Notice and Benefit Verification with the Texas Municipal League Multistate Intergovernmental Benefits Pool selecting Option 2 for medical providing for a lower deductible and higher out-of-pocket benefits, and allowing Option H for option vision coverage for employees. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

MAYOR O’Neill opened a public hearing to receive citizen comments and receive a recommendation from the Planning and Zoning Commission for the approval of a request from Alan Kahanek for a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52, Division 2. Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances on property located at 502 W. Gonzales Street, 504 W. Gonzales Street, and 109 Hutchinson Street in the City of Yoakum. The property owner was present to provide information and answer questions. Mr. Kahanek indicated that he will be utilizing the lot to store trailers and will be placing a fence to restrict visibility from the public. Code Enforcement Officer Hernandez provided additional information; George Scott made comments in favor of the change. The property owner has committed to placing a fence to keep the inventory from public view and refraining from storing items on public right-of-way. Hearing no further comments from the public, the public hearing closed.

MOTION by Councilmember Goodrich to adopt an ordinance (recorded as No. 2181) on first reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52, Division 2. Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances on property described as Lots 13, 14, and 15 of Block 1037 in the Original Townsite Addition as shown on the official tax roll (for location reference only: 502 W. Gonzales Street, 504 W. Gonzales Street, and 109 Hutchinson Street) in the City of Yoakum. Second was made by Mayor Pro-Tem Klander; motion carried unanimously.

COUNCIL received a citizen request to be heard regarding a proposed Citywide Noise Ordinance as requested by Nancy Chumchal. The Police Chief was present to
answer questions: the Yoakum Police Department utilizes State guidelines to enforce noise and requests voluntary compliance when complaints are received. Persons making complaints are asked to file a formal complaint, which are normally not received. No action was taken.

MAYOR O’Neill opened a public hearing to receive citizen comments and to assess compliance to abate violations of Chapter 683 in the Texas Transportation Code. The Council determines whether a vehicle is creating a nuisance and is authorized to issue an order for the removal and disposition of the junked vehicle. Review was held of vehicles listed and comments were received from property owners present.

a) 1991 Red Dodge SRT JB3XD64BXMY007726 VIN#BJ4R759 located at 316 Aurora St. – the vehicle has been removed from public view.

b) 1993 Blue Chevrolet Pickup 2GCEK19K6P1205928 VIN#36PCL7 located on E. Hugo St. – has been addressed by the property owner and no longer a nuisance.

c) 1996 Blue Chevrolet Pickup 2GCEC19W0T1158194 VIN#AP63879 located on Coke St. - has been addressed by the property owner and no longer a nuisance.

d) 2006 Chevrolet Malibu 1G1ZT51846F174250 VIN# MDP8667 located at 104 College Dr. – the vehicle has been registered and will be sold.

e) 2005 Red Kia Sorrento KDJD733755414653 VIN#GTS5065 located at 202 Antioch St. - has been addressed by the property owner and no longer a nuisance.

Hearing no further comments from the public, the public hearing closed.

After review of the listed vehicles, Councilmember Mooney made a motion to declare vehicles identified as a 1984 Beige Ford LTD 1FABP39C3EA161582 VIN#001WCX located at 402 Tucker St., a 1993 White Chevrolet Pickup 1GTDC14Z1PZ548408 VIN#93WZN5 located at 313 E. Hugo St., and a 1981 Ford Pickup 1FTFF25G1BUA32574 VIN#7KLK29- located on W. May St. as junk vehicles, find the vehicles to be a public nuisance and order the removal of each vehicle. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued on property located at 215 Burt Street. The owner (Martin Medina) was not present. The deadline for remodel and demolition of structures has passed and the property is completely unsecure at this time. Motion by Councilmember Mooney to reinstate the demolition order for property located at 215 Burt Street. Mayor Pro-Tem Klander seconded the motion. Motion carried unanimously.

A requested was received from the property owner at 815 Cadwell Street for Council to consider rescinding prior orders and rehear an appeal to the demolition order. The property owner, Gerardo Gonzales, was present and requested an additional four months to make improvements to the property to bring the structure to minimum standards. Information was provided by Code Enforcement Officer Dulce Hernandez indicating that the electricity has been off on the structure since 2019 and the property has been unsecure since December 2020. The structure will need all new plumbing, electrical, walls and other improvements to bring the property into compliance. After discussion, Mayor Pro-Tem Klander made a motion to rescind the prior orders and extend the
demolition order for three months with discernable progress being required on the exterior of the property within that three-month window. Second was made by Councilmember Wenzel and motion carried with O'Neill, Klander, Goodrich and Wenzel voting in favor; Mooney opposed.

CONTINUING in their designation as Second Panel of the Building and Standards Commission, the Council received a request to rescind prior orders and hear an appeal of a demolition order at 710 Baldwin Street from the property owner. The property owner, Jesse Ford, along with attorney Matthew A. Jirkovsky, P.C., were present to make the request. Mr. Ford was recently made aware of the problems on the property after other family members were unsuccessful in maintaining the structure. Information was presented regarding rehabilitation plans for the structure, details were provided on issues that are currently being addressed, and the property owner is requesting 90 days to make progress and determine if the property can be salvaged. After review and discussion, Mayor Pro-Tem Klander made a motion to reinstate the 30-day order to remove the lean-to and remove debris on the property, secure the structure, and return in 30 days with a plan of action for the rehabilitation of the structure to present to Council. Second was made by Councilmember Wenzel and motion carried unanimously.

THE Second Panel received a request from the property owner of 311 Ryan Street to hear an appeal of the demolition order placed on the property by the Building and Standards Commission. The property owner, Ms. Mae Dotson-LeBau, was present to provide information and ask to rescind the demolition order. The property owner indicated that she does not have a plan of action to improve the property as of this date, she lives out of town and does not make it to Yoakum to assess the condition of the property on a regular basis. After review and discussion, Councilmember Goodrich made a motion to uphold the demolition order in place ordered by the Buildings and Standards Commission and allow the property owner 30 days to complete the demolition. Motion was seconded by Councilmember Mooney and carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, the session was closed.

MAYOR O'Neill opened a public hearing to receive citizen comments on rescinding a Specific Use Permit for the placement of a mobile home on property described as Lots 1, 2, & 3 of Block 1144 in the Leo Tucker Addition (505 Moffitt Street) in the City of Yoakum, Lavaca County, Texas as shown on the official tax roll. Mr. Ronald Law, property owner, and his attorney, Matthew Jirkovsky was present to provide information. He requested additional time for sale of the property in order to provide funding for another form of residence to provide living arrangements for the property owner. Mr. George Scott was present and spoke in favor of Council providing consideration to Mr. Law. Hearing no further comments from the public, the public hearing closed.

MAYOR Pro-Tem Klander made a motion to adopt an ordinance (recorded as No. 2182) on emergency reading rescinding Ordinance No. 1527 authorizing the placement of a mobile home on property described as Lots 1, 2, & 3 of Block 1144 in the Leo Tucker Addition (505 Moffitt Street) in the City of Yoakum, Lavaca County, Texas as shown on the official tax roll providing 180 days for the removal of the manufactured home. Councilmember Goodrich seconded the motion; motion carried unanimously.

STAFF requested direction from Council regarding code enforcement abatement issues at 505 Moffitt Street including vehicle parts, dead trees, and lawnmowers that remain on the property. The property owner has been granted 180 days to remove the manufactured home as dictated in the previous motion; the property owner will be allowed 90 days to remove the other items based on the timeline for the new Nuisance Abatement Ordinance to be passed and enforced.
DISCUSSION was held regarding a proposed amendment to the City of Yoakum Code of Ordinances Nuisance abatement ordinance as it pertains to the abatement of junk vehicles. After review, Councilmember Mooney made a motion to adopt an ordinance (recorded as No. 2183) as amended on first reading amending the City of Yoakum Code of Ordinances Chapter 26. Nuisances as it pertains to the abatement of junk vehicles. Second was made by Mayor Pro-Tem Klander, motion carried unanimously.

REVIEW was held of code enforcement activity on major commercial property code violations and direction was provided by Council as follows: 700 block of Simpson Street – refer to Building and Standards Commission; 600 block of Lavaca Street, 706 Lott Street, and 411 North South Street – property owners requested a 90-day extension to abate. Council direction was to refer to Building and Standards Commission if nuisances were not abated within the 90 days. The property owner of 410 Gonzales Street was present. Alan Kahanek indicated that the property has been cleared. The property was approved on first reading for rezoning to Commercial (C-2) and will be fenced to keep inventory from public view.

INFORMATION was presented regarding the joint meeting held between the City Council and the Building and Standards Commission. City Manager Coleman informed Council of his conversation with Judge Pelech regarding interactions during the meeting and the need to address cases that are brought to Municipal Court to be reviewed in his capacity as the Municipal Judge and not as a property owner.

MOTION by Councilmember Wenzel to adopt an ordinance (recorded as No. 2184) on first reading amending the 2020-2021 City of Yoakum Fiscal Year Budget General Fund and Utility Fund as presented and authorize the transfer of $90,000 from the Utility Fund to the General Fund. Second was made by Mayor Pro-Tem Klander. Motion carried unanimously.

DISCUSSION was held regarding outstanding and unbudgeted projects for Fiscal Year 2020-2021 Budget including park improvements at the Front Street Railroad Park, deferred street/drainage work, additional funding for property abatement, permanent funding for a crime prevention officer, improvements to the underpass located at the thoroughfare of Highway 111 East. Priorities were discussed; no action was taken.

UNDER City Manager’s Report, Council was provided information regarding the discontinuance of the COVID-19 Sick Leave benefits for City employees. Information was provided on the automated meter infrastructure project through Ameresco, Inc.; City facility closure information in observance of Independence Day was provided; and a copy of the proclamation of emergency by the Texas Governor regarding border security was provided for review. Details were provided regarding the sidewalk construction beginning the week of June 7, 2021. Information was provided regarding funding from the Texas Department of Transportation Aviation Division which will include engineering services within next year’s budget and provide for paving in the following year budget. A special City Council meeting was scheduled for Tuesday, June 29, 2021 at 5:30 PM to review funded project through the Texas General Land Office Grant Programs. Council was informed that bids will be opened on June 10, 2021 for parking lot construction at 306 Irvine Street in coordination with the Yoakum Economic Development Corporation project.

MAYOR O’Neill announced that the Council would enter into Executive Session at 8:36 PM to deliberate regarding the purchase, exchange, lease, or value of real property located at the corner of Hwy 77A North and Carl Ramert Drive (V.T.C.A., Gov. Code, Sec. 551.072); and to
consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting reopened to the public at 9:15 PM with no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 9:15 PM.

Carl O'Neil, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 29, 2021
Conference Room – 5:30 PM
City Hall

SPECIAL MEETING OF THE
YOAKUM CITY COUNCIL

PRESENT: Carl O'Neil .............................................. Mayor
Glenn Klander .............................................. Mayor Pro-Tem
Billy Goodrich .............................................. Councilmember
Tanya Wenzel .............................................. Councilmember
Kevin M. Coleman ......................................... City Manager
Theresa A. Bowe .............................................. City Clerk
Kenneth E. Kvinta ............................................ City Attorney

ABSENT: Sean Mooney ........................................ Councilmember

MAYOR O'Neil called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:30 PM and opened the meeting to the public.

VISITORS were welcomed: Craig Bell and Sean Cook representing TRC Engineers, and Jill Phinney, Jessica Bickford, and Judy Langford with Langford Community Development were present.

CITY Manager Kevin Coleman provided an overview of the purpose and timeline of approved Texas General Land Office Mitigation Grants currently being processed including a grant for electric system improvements and water system improvements. Funds requested through this program may only be used for the designated projects applied for and staff worked with the engineering firm and grant consulting firm to develop the best plan of action that would afford the City's greatest needs.

INFORMATION was presented on pending grants for onsite generators for City facilities. Facilities will include water plants, water wells, the sewer plant and fire station.

REVIEW was held on projects funded through the Texas General Land Office Disaster Recovery Grants including:

The SCADA Improvement Project: Hard bids and cost are in house. This program controls our water, sewer and electric systems. Staff will be making a recommendation to move forward with Mercer Engineering based on their experience and the past professional relationship with Mercer. Information provided indicates that the American Recovery Program could be available to the City; expenditures for water and sewer qualify for these funds. This could be a Capital Improvement Project within the Electric Department Budget in next year's budget. Council direction was to move forward with the SCADA project as bid.

The Dunn Street Improvement Project: Hard bids and cost are in house. This project will improvement pavement in that area and improve the extension of Dunn Street into the sewer plant. The base bid is covered with the grant funds and should award in July, with the contract to be initiated in August. An issue with the drainage in the area will need to be addressed. This project will provide all new base and all new asphalt with some additional concrete to the Street. The project will interrupt the
operations at the Transfer Station and a plan of action will need to be developed to provide services during the construction period.

The Kenedy Ditch Improvement Project: Staff is currently waiting on the environmental review. The Corp of Engineers indicates that the ditch is classified as a navigable body of water and will require a federal permit for construction to take place. A redesign cost from the engineer was presented. Hydrex, a permitting expert has been enlisted to assist with the project. With the issue confronting this project, the project had to separate from the Dunn Street Project. The original expiration of the grant was May 2022. The GLO has indicated that grant recipients may make a one-time one-year extension. Council direction was to move forward with the project as outlined.

The Fire Station Generator Project: Options were reviewed. After discussion, consensus of the Council was to move forward with the project under the GLO-DR grant and use a portion of the CARES grant funds set aside for the Fire Station Annex building for the generator if needed. The generator is a higher priority than current needs for the annex building. Direction was provided to release the engineers to move forward with the generator bid project.

The Electric Pole Replacement Project: Twenty poles need to be replaced. Through this process, staff recommends changing the wooden poles to a metal pole system. Additions to the project may be made if GLO-DR funds are available once other projects are complete.

The Langford team noted that additional funding will be coming through the Golden Crescent Regional Planning Commission through method of distribution from the federal government for Harvey impacted areas. Staff is to check with GCRPC on the funding.

REVIEW was held of the status of the American Recovery Program funding and potential uses. A $1.3 million stimulus bill has been created for cities. These are one-time recovery funds; staff recommends utilizing the funding for a one-time project.

MAYOR Pro-Tem Klander made a motion to authorize the City Manager to advertise for Requests for Proposals for grant consulting services related to an American Recovery Grant Program. Motion was seconded by Councilmember Goodrich and carried unanimously.

THERE being no further business, the meeting adjourned at 6:34 PM.

Carl O'Neill
Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Carl O'Neill, Mayor
Glenn Klander, Mayor Pro-Tem
Billy Goodrich, Councilmember
Sean Mooney, Councilmember
Tanya Wenzel, Councilmember
Kevin M. Coleman, City Manager
Kenneth E. Kvinta, City Attorney
Theresa A. Bowe, City Clerk

ABSENT: None

MAYOR O’Neill 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.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meetings of June 8, 2021, and June 29, 2021;
2) The following appointments were approved as presented:
   a. Layne Brandt, Carl O’Neill and Kim Taylor to the Hotel Occupancy Tax Advisory Board for two-year terms
   b. Layne Brandt to the Yoakum Economic Development Corporation Board of Directors for a two-year term
   c. Darryl Wright to the Yoakum Housing Authority Board of Commissioners as a Resident Commissioner for a two-year term
3) Adopt an ordinance (recorded as No. 2181) on second and final reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52, Chapter 52, Division 2. Residential Districts, Section 52-69 (19) of the Yoakum Code of Ordinances on property described as Lots 13, 14 & 15 of Block 1037 in the Original Townsite Addition as shown on the official tax roll (for location reference only: 502 W. Gonzales Street, 504 W. Gonzales Street, and 109 Hutchinson Street) in the City of Yoakum
4) Award of the SCADA Improvement Bid Project through a General Land Office grant contract to Mercer Controls, Inc. of Edna, Texas in an amount not to exceed $332,800
5) Award of the Dunn Street Facility Improvement Project through a General Land Office grant contract to Constar Construction of Victoria, Texas in an amount not to exceed $332,920
6) Receive a bid tabulation for Street Material bids and award contracts as follows:
   a. Flexible Base Pit Run Gravel to Rock Hard Materials of Yoakum, Texas
   b. Backfill Sand to Sweet Home Sand and Gravel of Yoakum, Texas
   c. Coldmix Limestone Rock Asphalt to Vulcan Construction Material of San Antonio, Texas
   d. Flexible Base to Colorado Material, LTD of San Marcos, Texas
   e. Screened Pit Run Gravel to Fred’s Contract Services of Yoakum, Texas
7) Reviewed status of Automated Meter Infrastructure project through Ameresco and approve a pay application for work completion to-date in the amount of $116,724.78
8) Authorize the City Manager to execute an engagement letter with Harrison, Waldrop, & Uherek, L.L.P. for auditing services
9) Authorize the Mayor to execute an Acknowledgement of Amendment with the Golden Crescent Regional Planning Commission assenting to proposed amendments to Article IX of its Bylaws
10) Approve a request from the St. Joseph Catholic School PTC Jack-O-Lantern Jog Committee for the closure of certain streets in conjunction with the Annual Jack-O-Lantern Jog to be held on Saturday, October 30, 2021
11) Authorize certain City equipment surplus and authorize the sale of City surplus equipment as presented

MOTION to adopt the Consent Agenda was made by Mayor Pro-Tem Klander. Second was made by Councilmember Goodrich; motion carried unanimously.

COUNCIL received a citizen request to be heard regarding a proposed Citywide Noise Ordinance as requested by Nancy Chumchal. Ms. Chumchal was present to make the request and provide details regarding an area community's guidelines. She asked for Council assistance to assist with the noise nuisance that she believes is not being alleviated by the State guidelines. After discussion regarding the ability for the Municipal Court to enforce City adopted ordinances, Council gave direction to the City Attorney to provide a report on options to enforce City ordinances.

A request was received from Mr. Jeff Jackson to rename Cowboy Lane to Harabis Lane in honor of Leo and Rosalie Harabis. After reviewing the request, Council took no action regarding the request.

MAYOR O'Neill opened a public hearing to receive citizen comments and to assess compliance to abate violations of Chapter 683 in the Texas Transportation Code. The Council determines whether a vehicle is creating a nuisance and is authorized to issue an order for the removal and disposition of the junked vehicle. Review was held of vehicles listed and comments were received from property owners present.

Items resolved prior to Council review included:

<table>
<thead>
<tr>
<th>Vehicle Details</th>
<th>License Plate Number</th>
<th>Owner(s)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007 FORD FE</td>
<td>GJM1623 3FAHP07Z87R116114-202 Highland St.</td>
<td>- resolved</td>
<td></td>
</tr>
<tr>
<td>2004 CHEVROLET MONZA</td>
<td>DJ3K003 2G1WW12E649158175-318 Aubrey St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002 FORD PICKUP</td>
<td>56224C 1FTNX20F52ED05923-308 Matthew St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005 BUICK LES</td>
<td>GTX2133 1G4HR54K45U124236-111 Henrietta St.</td>
<td>- property owner was present and requested a short extension</td>
<td></td>
</tr>
<tr>
<td>2002 CADILLAC ESCALADE</td>
<td>DW6J346 1GYEK63N22R115993-110 Wimberly St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985 FORD LIC# 19LGV8 1FTHX2514FKB39556-408 Slayden St</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985 CHEVROLET MONTE CARLO</td>
<td>FHG4069 1G1GZ37Z8FR173451-218 Matthew St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2002 FORD F-250 LIC#</td>
<td>HMZ0588 1FTNW20F2EA12658-808 W. Grand St.</td>
<td>- property owner was present and was in disagreement with the junk vehicle process</td>
<td></td>
</tr>
<tr>
<td>1996 FORD F-150 LIC#</td>
<td>BG48897 1FTEX15N6TKA26302-211 Fink St.</td>
<td>- property owner was present and indicated that they are waiting on a lost title; will be contacting the previous owner to assist with the resolution</td>
<td></td>
</tr>
</tbody>
</table>

Matthew Jirkovsky was present and requested information regarding the State provision allowing 50 feet from the outside of the property line. Details of that statute will be investigated. Hearing no further comments from the public, the public hearing closed.

After review of the listed vehicles, Council tabled orders on the listed items and each will be addressed at a future meeting.

INFORMATION was presented regarding the proposed ordinance providing additional enforcement of the abatement of junk vehicles. Details were reviewed and discussion was held.
After discussion, Councilmember Mooney made a motion to adopt an ordinance (recorded as No. 2183) as amended on second and final reading amending the City of Yoakum Code of Ordinances, Chapter 26. Nuisances as it pertains to the abatement of junk vehicles. Second was made by Mayor Pro-Tem Klander; motion carried unanimously.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission to receive an update on previous orders issued on property located at 710 Baldwin Street. The owner Jessie Ford was present along with his attorney Matthew Jirkovsky to provide information and answer questions. A detailed description of the plan to rehabilitate the structure was provided for Council review and an update was provided on the progress made to clear the property. After review and discussion, Councilmember Goodrich made a motion to rescind the demolition order and instruct the property owner to move forward with the rehabilitation of the property. Motion was seconded by Councilmember Mooney and carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, the session was closed.

MOTION by Councilmember Mooney to authorize the expenditure of funds for website design and implementation awarding the contract to Revize of Troy, MI. in an amount not to exceed $26,500 and request additional information from Revize for logo and branding services. Second was made by Councilmember Wenzel; motion carried unanimously.

DETAILS were provided regarding proposed options for the projected 2021 Tax Rate for the 2022 fiscal year budget. After review, Council consensus was to move forward with the overall rate increase as presented.

ITEM regarding the award of a contract for consulting, management, administrative, and/or grant writing services in coordination with an American Rescue Plan Act of 2021 application(s) for funding economic relief and recovery programs was tabled for a future meeting.

ITEM regarding the award of a contract for consulting, management, administrative, and/or grant writing services in coordination with a Texas Department of Emergency Management – Hazard Mitigation Grant Program related to DR-4586 (sever winter storms) application(s) for funding mitigation projects and planning for future events and the subsequent implementation of the TDEM – Hazard Mitigation project(s) was tabled for a future meeting.

COUNCILMEMBER Goodrich made a motion to adopt a resolution (recorded as No. 2021-16) on the first of two readings approving a project proposed by the Yoakum Economic Development Corporation for lot clearing and site construction of property within the 300 block of Irvine Street in an amount not to exceed $85,000. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

MAYOR Pro-Tem Klander made a motion to adopt a resolution (recorded as No. 2021-16) on the second and final reading approving a project proposed by the Yoakum Economic Development Corporation for lot clearing and site construction of property within the 300 block of Irvine Street in an amount not to exceed $85,000. Second was made by Councilmember Goodrich and motion carried unanimously.

MOTION by Councilmember Mooney to adopt a resolution (recorded as No. 2021-17) on the first of two readings approving a project proposed by the Yoakum Economic Development Corporation in the form of a grant in conjunction with the Downtown Business District Revitalization Grant application from Embroidery Express for its location at 218 W. Grand Avenue, Yoakum TX 77995 in an amount not to exceed $90,000. Councilmember Wenzel seconded the motion. Motion carried unanimously.
COUNCILMEMBER Mooney made a motion to adopt a resolution (recorded as No. 2021-17) on the second and final reading approving a project proposed by the Yoakum Economic Development Corporation in the form of a grant in conjunction with the Downtown Business District Revitalization Grant application from Embroidery Express for its location at 218 W. Grand Avenue, Yoakum TX 77995 in an amount not to exceed $90,000. Motion was seconded by Councilmember Wenzel and carried unanimously.

MOTION by Mayor Pro-Tem Klander to nominate to the following Golden Crescent Regional Planning Commission's Advisory Committees: Tishanne Carroll to Health and Human Services, and Michael Bennett and Shane Flessner to the Environmental Resources. Second was made by Councilmember Goodrich and motion carried unanimously.

COUNCILMEMBER Mooney made a motion to adopt an ordinance (recorded as No. 21848B) on first reading amending 2020-2021 Fiscal Year Budget Special Funds including, Police Department, Economic Development, Library, and Parks & Recreation. Second was made by Councilmember Wenzel; motion carried unanimously.

AFTER review and consideration, Mayor Pro-Tem Klander made a motion to approve the formation and guidelines for a Volunteer Fire Department Youth Corps. Motion was seconded by Councilmember Mooney and carried unanimously.

UNDER City Manager's Report, Council was reminded of the Yoakum Heritage Museum schedule of events, was presented the Quarterly Financial/Investment Report for review, reminded of the Texas Municipal League Region 11 Quarterly Meeting scheduled for July 22, 2021 hosted by the City of Portland, Texas, and reminded of the TML Annual Conference to be held in Houston, TX on October 6-8, 2021. Information was provided regarding the Budget development process for Fiscal Year 2020. A report on major commercial property code violations was provided, and a report on 505 Moffit Street notice to property owner. Mr. Ernest Elizondo was present to provide information to the Council regarding the possible purchase of the property. Council was informed that a future agenda item will include a proposed meter tampering ordinance.

MAYOR O'Neill announced that the Council would enter into Executive Session at 7:41 PM to consult with the City Attorney on pending litigation (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 8:45 PM with the following action resulting from Executive Session: motion by Councilmember Mooney to approve a 3% merit increase for the City Manager effective immediately. Second was made by Councilmember Goodrich and motion carried unanimously.

THERE being no further business, the meeting adjourned at 9:15 PM.

[Signature]
Carl O'Neill, Mayor
City of Yoakum, Texas

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk
August 10, 2021
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Carl O’Neill, Mayor
Glenn Klander, Mayor Pro-Tem
Billy Goodrich, Councilmember
Sean Mooney, Councilmember
Tanya Wenzel, Councilmember
Kevin M. Coleman, City Manager
Kenneth E. Kvinta, City Attorney
Theresa A. Bowe, City Clerk

ABSENT: None

MAYOR O’Neill called the City Council meeting to order and Councilmember Mooney gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

1) Adoption of the minutes of the meeting of July 13, 2021;
2) Appoint the following to the Yoakum Economic Development Corporation Board of Directors for 2-year terms: Layne Brandt, Michael Trojack, and Carl O’Neill;
3) Approve the Automated Meter Infrastructure project through Ameresco and approve of pay application three for work completion to-date as presented;
4) Authorize the City Manager to advertise for bids for a generator for the Yoakum Fire Station funded through the Texas General Land Office Disaster Recovery funding projects;
5) Authorize the Mayor to execute a letter of commitment for match funding for a grant application through Texas Department of Emergency Management HMG – Harvey;
6) Approve a School Resource Officer Agreement with the Yoakum Independent School District
7) Adopt a resolution (recorded as No. 2021-18) renewing the City of Yoakum Investment Policy

MOTION to approve the Consent Agenda as presented was made by Councilmember Mooney. Second was made by Councilmember Goodrich and motion carried unanimously.

SHARLA Pohl, President of the Yoakum Area Chamber of Commerce was present to make requests on behalf of the Chamber of Commerce. After presentation of proposed events, Councilmember Mooney made a motion to authorize the Yoakum Area Chamber of Commerce to hold a concert and authorize the closure of certain streets and use of City personnel with an event scheduled for September 18, 2021; authorize the Yoakum Area Chamber of Commerce to hold a Sip and Shop event and authorize the closure of certain streets and use of City personnel in conjunction with the event scheduled for November 18, 2021; and authorize the Yoakum Area Chamber of Commerce to hold the Annual Christmas on the Grand event and authorize the closure of certain streets, use of City personnel and utilization of City property in conjunction with the event scheduled for December 4, 2021. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

REPRESENTATIVES from the Yoakum Little League Association were present to make a request for assistance for funding of improvements to the Little League fields. Mr. Raymond Rosas provided details of a proposed plan of action. Discussion was held regarding needed
improvements including dugouts, lighting, restrooms, announcing boxes, and concession stand facilities. The League is developing a three-to-five-year plan for improvements. Council thanked the representatives for their interest and commitment to improving the facilities and indicated that City staff and Council will work with the League to help improve the facilities.

MAYOR Pro-Tem Klander made a motion to approve the 2021 Certified Appraisal Roll for the City of Yoakum as certified by the DeWitt County Chief Appraiser. Second was made by Councilmember Mooney; motion carried unanimously.

MAYOR O'Neill opened a public hearing to receive citizen comments on the proposed 2021 City of Yoakum Tax Rate. Information was presented by City Manager Coleman. Hearing no comments from the public, the public hearing closed.

MOTION by Councilmember Goodrich to adopt an ordinance (recorded as No. 2186) on first reading levying taxes to be assessed and collected, and setting the 2021 City of Yoakum Tax Rate at $0.12468 per $100 valuation; Maintenance and operation at $0.07232 and payment of principal and interest of debt of the City at $0.05236. Motion was seconded by Councilmember Wenzel and carried unanimously.

REVIEW was held of the current sidewalk improvement project in the downtown area. After discussion, Mayor Pro-Tem Klander made a motion to authorize a project change order and a 40-day contract extension for the Sidewalk Project through the Texas Department of Agriculture Downtown Revitalization Grant Program, and waiving the penalties. Motion was seconded by Councilmember Mooney and carried unanimously.

MOTION by Councilmember Goodrich to award a contract for consulting, management, administrative, and/or grant writing services in coordination with a Texas Department of Emergency Management – Hazard Mitigation Grant Program related to DR-4586 (sever winter storms) application(s) for funding mitigation projects and planning for future events and the subsequent implementation of the TDEM – Hazard Mitigation project(s) to Langford Community Management of Leander, Texas. Second was made by Councilmember Mooney and motion carried unanimously.

COUNCILMEMBER Mooney made a motion to approve the use of City facilities at the Municipal Golf Course for proposed Cross Country meets hosted by the Yoakum Independent School District on August 21, August 28, and October 11, 2021. Motion was seconded by Councilmember Wenzel and carried unanimously.

INFORMATION was provided by City Attorney Kvinta regarding enforcement of City ordinances through the Municipal Court system. Violations can be enforced similar to Class C Misdemeanors; the Local Government Code provides authority for municipalities to enforce adopted ordinances and enforcement procedures will be provided the Municipal Judge for future reference and enforcement. Court can issue a “Failure to Appear” only when a peace officer issues a citation.

CITY Manager Coleman provided information to the Council regarding major property code violations and current enforcement issues. Information was provided on properties located in the 600 Block of Lavaca Street owned by Charles Hall. Council provided instructions to staff for enforcement of the Code violations. Property owned by Mr. Robert Orr at 706 Lott Street was reviewed and information presented. Enforcement direction was provided to staff. Staff provided a report to Council regarding property owned by Jack Boothe at 411 N. South Street. The property owner has committed to removal of the debris in the back portion of the property within 90 days. Property located at 410 W. Gonzales Street was discussed. The property owner will be contacted to address the Code violations. E.L. Moore was present representing his property located at 606 and 608 Simpson Street. Questions were posed and addressed regarding the State stipulations.
allowing a 50-foot grace from the property line for the storage of material and debris. This stipulation does not apply to the property in question and Mr. Moore was provided direction to remove the debris.

INFORMATION was presented regarding a request from Texas gas utilities making a request to the Texas Railroad Commission to collect gas costs incurred during Winter Storm Uri from their ratepayers. After review and discussion, Councilmember Mooney made a motion to authorize the City Manager to hire Thomas Brocato of Lloyd GosselinK Rochelle and Townsend for legal and consulting services to represent the City of Yoakum in cooperation with other cities in the pending request from Texas gas utilities regarding Winter Storm Uri gas costs.

UNDER City Manager’s Report, Council was reminded of the Bi-Annual Clean-Up Program scheduled for the week of November 29 through December 3, 2021. Details were provided on the Quarterly Financial/investment Report. An update was provided on the needed repairs on the Yoakum Municipal Golf Course result of the winter storm. Council was invited to the Yoakum Area Chamber of Commerce Business Breakfast scheduled for September 21, 2021. Corrections were provided on the Ameresco report noting that the project is at 90% completion on the water meter installation project. Staff is scheduled to meet with the contractors on the Dunn Street Improvement Project and the SCADA Project on September 30, 2021. Council was informed of the Texas Municipal League Annual Conference scheduled for October 6-8, 2021 to be held in Houston, Texas. Budget proceedings were outlined. Possible future agenda items to be brought before Council include a report on 505 Moffitt Street Code violations and a report on a Second Panel of the Building and Standards Commission issue at 815 Cadwell Street was provided. Staff will be developing a proposed meter tampering ordinance for Council consideration.

MAYOR O’Neill announced that the Council would enter into Executive Session at 7:20 PM to discuss an electric utility-related matter for corrections to Winter Storm billing (V.T.C.A., Gov. Code, Sec. 551.086); to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Sec. 551.072); and to deliberate regarding economic development negotiations with Eddy Pack, Inc. (V.T.C.A., Gov. Code, Sec. 551.087). The meeting reopened to the public at 8:40 PM with the following action resulting from Executive Session: motion by Councilmember Mooney to authorize the execution of a transfer of property described as 0.70 acres of land, situated in the Patrick Ryan League, Abstract 44, Lavaca County, Yoakum, Texas (for location reference: Carl Ramert Drive (F.M. 3475) and U.S. Highway 77-A North) from the City of Yoakum to the Yoakum Economic Development Corporation. Second was made by Councilmember Goodrich and motion carried unanimously.

THERE being no further business, the meeting adjourned at 8:41 PM.  

Carl O’Neill; Mayor  
City of Yoakum, Texas

ATTEST:  

Theresa A. Bowe, City Clerk
August 18, 2021
Conference Room – 6:00 PM
City Hall

SPECIAL MEETING/BUDGET WORKSHOP OF THE
YOAKUM CITY COUNCIL

PRESENT: Carl O’Neill ............................................ Mayor
Glenn Klander ................................................... Mayor Pro-Tem
Billy Goodrich ............................................... Councilmember
Sean Mooney ................................................ Councilmember
Tanya Wenzel ................................................ Councilmember
Kevin M. Coleman ....................................... City Manager
Theresa A. Bowe ........................................ City Clerk
Kenneth E. Kvinta ........................................ City Attorney

ABSENT: None

MAYOR O’Neill called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 6:00 PM and opened the meeting to the public.

MAYOR O’Neill opened a public hearing to receive citizen comments on the proposed 2021 City of Yoakum Tax Rate. Hearing no comments from the public, the public hearing closed.

DISCUSSION and review was held of the proposed 2020-2021 Departmental Budgets. Special Funds were reviewed including YEDC, Police, Court, Fire, Parks, Community Center, Hotel Occupancy Tax, and Library. Priorities were reviewed and discussed. Finalized budget presentations will be brought to Council at the next scheduled meeting.

THERE being no further business, the meeting adjourned at 7:53 PM.

Carl O’Neill, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
August 25, 2021
Conference Room – 5:00 PM
City Hall

SPECIAL MEETING/BUDGET WORKSHOP OF THE
YOAKUM CITY COUNCIL

PRESENT: Carl O’Neill ...................................................... Mayor
Glenn Klander ......................................................... Mayor Pro-Tem
Billy Goodrich .................................................. Councilmember
Sean Mooney .................................................... Councilmember
Tanya Wenzel ................................................... Councilmember
Kevin M. Coleman ........................................... City Manager
Theresa A. Bowe ............................................... City Clerk
Kenneth E. Kvinta ........................................... City Attorney

ABSENT: None

MAYOR O’Neill called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:04 PM and opened the meeting to the public.

INFORMATION was provided from Mr. Donald Jirkovsky from the University of Houston-Victoria regarding rural broadband services. A regional conglomeration is being developed to assist rural areas to increase the bandwidth provided to communities in need. Funding may be coming through the Texas Comptrollers Office to provide funding assistance. Resources were discussed. Council thanked Mr. Jirkovsky for the information and indicated they are looking forward to receiving more details as they become available.

COUNCILMEMBER Mooney made a motion to adopt a resolution (recorded as No. 2021-19) authorizing the City Manager to apply for the Texas Department of Emergency Management – Hazard Mitigation Grant Program related to DR-4585 (severe winter storms) application(s) for funding mitigation projects and planning for future events and the subsequent implementation of the TDEM – Hazard Mitigation Project(s) and act in all matters related to the grant. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

DISCUSSION and review was held of the proposed 2020-2021 Departmental Budgets. Special Funds were reviewed including YEDC, Police, Court, Fire, Parks, Community Center, Hotel Occupancy Tax, and Library. Priorities were reviewed and discussed. Direction was provided to staff for funding issues.

THERE being no further business, the meeting adjourned at 7:58 PM.

Carl O’Neill, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
September 14, 2021  
Conference Room – 6:00 PM  
City Hall  

REGULAR MEETING OF THE CITY COUNCIL  

PRESENT:  
Carl O’Neill ......................................................... Mayor  
Glenn Klande ....................................................... Mayor Pro-Tem  
Billy Goodrich ..................................................... Councilmember  
Sean Mooney ......................................................... Councilmember  
Tanya Wenzel ....................................................... Councilmember  
Kevin M. Coleman ................................................. City Manager  
Kenneth E. Kvinta ............................................... City Attorney  
Theresa A. Bowe .................................................... City Clerk  

ABSENT:  
None  

MAYOR O’Neill called the City Council meeting to order and Councilmember Goodrich gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.  

VISITORS were acknowledged and welcomed.  

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.  
1) Adoption of the minutes of the meetings of August 10, 2021, August 18, 2021 and August 24, 2021;  
2) Authorize the charge off of listed library fees and fines, delinquent ambulance, and utility account receivables;  
3) Designating Mark Manning as a regular member of the Building and Standards Commission;  
4) Authorize the Yoakum Area Chamber of Commerce to continue operation of the Yoakum Community Center and authorize the Mayor to enter into an extension of the Management and Concessionaire Agreement for a four-year period;  
5) Authorize the creation of a checking account to hold funds related to the American Recovery Act Grant;  
6) Approve the 2022 RAMP Agreement with the Texas Department of Transportation for improvements to the Municipal Airport and discussion of planned projects;  
7) Adopt a resolution (recorded as No. 2021-20) nominating Conyetta Gaus-Swaney for director of DeWitt County Appraisal District as representative for the City of Yoakum;  
8) Adopt a resolution (recorded as No. 2021-21) nominating Walt Hairrell for director to the Lavaca County Central Appraisal District Board of Directors as representative for the City of Yoakum; and  
9) Authorize the closure of the Carl & Mary Welhausen Library on Friday, October 29, 2021 for Halloween activities.  

MOTION to approve the Consent Agenda as presented was made by Councilmember Goodrich. Second was made by Councilmember Klande and motion carried unanimously.  

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission and opened a public hearing to receive citizen comments regarding certain properties. Mr. Charles Hall was present representing the properties located at 511 Lavaca Street, 601 Lavaca Street, and 603 Lavaca Street. Mr. Hall provided information and answered questions. Weather has deterred his progress on removing the debris and vehicles. He will be removing the remaining items with the cooperation of the weather within the next month. Council indicated that they had noticed progress being made and that they appreciate the effort being put forth. Motion by Mayor Pro-Tem Klande to grant a 30-day extension to bring the properties located at 511 Lavaca Street, 601 Lavaca Street, and 603 Lavaca Street into compliance. Second was made by Councilmember Goodrich and motion carried unanimously.  

CONTINUING in their designation as Second Panel of the Building and Standards Commission, Council received information regarding properties located at 709 Irvine Street and 706 Lott Street, both
owned by Mr. Robert Orr. Mr. Orr was not present, however had sent a letter to staff providing a tentative plan of action to bring the property into compliance. He intends to take inventory and determine which items can be retained to put on the market. Council requested additional details on the progress of improvements and more information regarding the plan of action to bring the property into compliance.

MR. Jack Booth was present representing his property located at 411 N. South Street. The top of the structure is beginning to cave in causing a hazard. Barricades have been placed around the area to help ensure the safety of pedestrians and vehicles. Mr. Booth has requested bids for the demolition of the structure and will be requesting an asbestos survey. He intends to remove the second floor of the structure to alleviate the safety hazards. After discussion, Councilmember Klander made a motion to grant a 30-day extension to the property owner to secure bids and an asbestos survey for demolition. Motion was seconded by Councilmember Wenzel and carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, Council was closed.

COUNCILMEMBER Mooney arrived at 6:16 PM.

MAYOR O'Neill opened a public hearing to receive citizen comments and to assess compliance to abate violations of the Chapter 683 in the Texas Transportation Code. The Council will make a determination whether there is a junked vehicle creating a public nuisance and shall be authorized to issue an order for the removal and disposition of the junked vehicle, if the junked vehicle is found to be a public nuisance. The following action was taken:

a) 2007 Red Ford Mustang LIC# BM1X224, VIN: 1ZVFT80N175230264 - 510 West St. – Vehicle brought into compliance
b) 1996 Tan Chevrolet S-10 LIC# BW66433, VIN: 1GCCS19X0T8137863 - 510 West St. – Vehicle removed
c) 2006 Black Nissan Armada LIC# CLD2804, VIN: 5N1AA08A66N717802 - 202 Plaza St. – Vehicle brought into compliance
d) 1996 Maroon Ford F-150 LIC# BG48897, VIN: 1FTEX15N6TKA26302 - 211 Fink St. – Council ordered the vehicle removed within 10 days
e) 2004 Black Mercury Mountaineer LIC# LCF7310, VIN: 4M2DU66W34ZJ42486 - 705 Lavaca St. – Vehicle removed
f) 1996 Tan Oldsmobile Olds LIC# FXX1336, VIN: 1G3HN52K2V483682 - 705 Lavaca St – Vehicle has been removed.
g) 1999 Green Dodge Ram LIC# 18RLT6, VIN: 1B7HF13Z1J545792 - 602 Henrietta St. – Council ordered the vehicle removed within 10 days
h) 2003 Maroon Chevy Impala LIC# CH7X833, VIN: 2G1WF52E439236426 - 509 Aubrey St. – Council ordered the vehicle removed within 30 days
i) 1998 Toyota Camry LIC# CFD1859, VIN: JTZBF22K6W0126284 - 202 Plaza – Property owner indicated that the vehicle had been placed inside a structure to make repairs; no longer an issue.

Councilmember Mooney made a motion to apply orders as outlined. Second was made by Councilmember Wenzel and motion carried unanimously.

DETAILS were reviewed regarding property located at 505 Moffitt Street owned by Mr. Ronald Law. Attorney Mathew Jirkovsky and Mr. Law were present to provide information and answer questions. Mr. Law no longer resides in the trailer located on the property and he has reached out to Mr. Ernest Elizondo who has been working on clearing the property, and trimming trees. The property owner is looking into engaging a contractor to remove the large trailer. An exchange has been negotiated between Mr. Law and Mr. Elizondo to purchase two of the lots and Mr. Law will then place a compliant structure on the property to reside in. No action was taken. Council extended their appreciation to Mr. Law for the effort that is being put forth to bring the property into compliance.

COUNCILMEMBER Mooney made a motion to adopt an ordinance (recorded as No. 2185) on first reading adopting the City of Yoakum 2021-2022 Fiscal Year Budget as amended based on Council discussion. Motion was seconded by Councilmember Goodrich and carried unanimously.
MOTION by Mayor Pro-Tem Klander to adopt an ordinance (recorded as No. 2187) on first reading establishing guidelines, penalties, and fees for unauthorized tampering of City owned utility meters. Second was made by Councilmember Mooney; motion carried unanimously.

INFORMATION was presented regarding emergency medical services rates and fees. Staff is recommending a "no haul" fee modeled after Lavaca County Medical Services. After review and discussion, Council gave direction to staff to move forward with implementation of the proposed fees.

DISCUSSION was held regarding proposed improvements for the City of Yoakum Municipal Little League Park. Cost estimates were provided for review. Conversations were held with administration of the Yoakum Independent School District and Little League representatives. Additional information will be gathered in terms of cost, needs, and priorities. Funding sources will be reviewed and additional details will be brought to Council at a future date.

FORMAT and scheduling of a City Council long range planning session was proposed and set for October 14, 2021 at 6:00 PM.

UNDER City Manager’s Report, Council was reminded of the Bi-Annual Clean-Up Program scheduled for the week of November 29 through December 3, 2021. The Yoakum Area Chamber of Commerce will be hosting a street dance scheduled for September 18, 2021; events scheduled for the DeWitt County Celebrates 175 Years were provided; the City/School Summer Recreation Board meeting will be scheduled; the Yoakum Area Chamber of Commerce Business Breakfast is scheduled for September 21, 2021; a Special City Council meeting is scheduled for September 21, 2021 at 5:30 PM; the City Employee Service Awards Banquet is scheduled for September 23, 2021 beginning at 6:00 PM; the National Fire Prevention week is scheduled for October 3 – 9, 2021,and the National Night Out event will be held at the Fire Station on October 5, 2021. LCRA will be hosting a State of the LCRA meeting on October 5, 2021. An update on the ownership of the property located at E. Hochheim and Edgar Streets was provided indicating that there is some confusion as to whether the City or the School owns the property. The City will be maintaining the area until a determination is made. 100% of the installation of the water meters through the Automated Meter Infrastructure Project has been completed. Billing has been completed from last month and the contractor will be in town to begin the installation on the electric meter change out in the middle of October. The first meeting with the SCADA contractor for the upgrade of the SCADA equipment has been scheduled. Staff will be opening bids on the Fire Department Generator project on October 7, 2021. The Downtown Sidewalk application is still under review and questions have been posed to clarify information submitted. The waterline project will be going out for bid in October. The Water Conservation Plan and Drought Contingency Plan and Utility Recovery Plan will be combined into one document and brought to Council for consideration. House Bill 738 has been passed establishing the 2012 Building Code as the required guidelines that municipalities must institute. That process has begun to update those codes. A mental health policy for first responders has been mandated and will be brought to Council for review in October 2021.

MAYOR O’Neill announced that the Council would enter into Executive Session at 7:18 PM to deliberate regarding economic development negotiations with Eddy Pack, Inc. (V.T.C.A., Gov. Code, Sec. 551.087). The meeting reopened to the public at 7:46 PM with the no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 7:46 PM.

Carl O’Neill, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
SPECIAL MEETING/BUDGET WORKSHOP OF THE
YOAKUM CITY COUNCIL

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

ABSENT:  Sean Mooney ........................................... Councilmember

MAYOR O'Neill called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 5:30 PM and opened the meeting to the public.

MAYOR Pro-Tem Klander made a motion to award a contract for engineering services in coordination with a Texas Department of Emergency Management – Hazard Mitigation Grant Program related to DR-4586 (sever winter storms) application(s) for funding mitigation projects and planning for future events and the subsequent implementation of the TDEM – Hazard Mitigation project(s) if the City is awarded a contract(s) to John D. Mercer Engineering of Edna, Texas. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to adopt an ordinance (recorded as No. 2187) on second and final reading establishing guidelines, penalties, and fees for unauthorized tampering of City owned utility meters. Second was made by Councilmember Wenzel and motion carried unanimously.

MAYOR Pro-Tem Klander made a motion to adopt a resolution (recorded as No. 2021-22) adopting a revised City of Yoakum Manual of Fees and Service Charges. Motion was seconded by Councilmember Wenzel; motion carried unanimously.

COUNCILMEMBER Wenzel made a motion to adopt an ordinance (recorded as No. 2185) on second and final reading adopting the City of Yoakum 2021-2022 Fiscal Year Budget as presented. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

MOTION by Mayor Pro-Tem Klander to adopt an ordinance (recorded as No. 2186) on second and final reading providing the property tax rate be increased by the adoption of a tax rate of $0.1248, which is effectively a 5.69 percent increase in the tax rate. Second was made by Councilmember Goodrich and motion carried unanimously.

COUNCILMEMBER Goodrich 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 2021-2022 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 (Total debt - $460,000; ad valorem - $149,300; Utility Revenue - $310,700). Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

THERE being no further business, the meeting adjourned at 5:50 PM.

Carl O'Neill, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
October 12, 2021  
Conference Room – 6:00 PM  
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Carl O'Neill ........................................................................ Mayor  
Glenn Klander ................................................................. Mayor Pro-Tem  
Billy Goodrich .................................................................. Councilmember  
Sean Mooney ....................................................................... Councilmember  
Tanya Wenzel ...................................................................... Councilmember  
Kevin M. Coleman .............................................................. City Manager  
Kenneth E. Kvinta .............................................................. City Attorney  
Theresa A. Bowe ................................................................. City Clerk

ABSENT:  
None

MAYOR O’Neill called the City Council meeting to order and Mayor Pro-Tem Klander gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.  
1) Adoption of the minutes of the meetings of September 14, 2021 and September 21, 2021;  
2) Status of Automated Meter Infrastructure project through Ameresco was reviewed and approve payment application #4 for work completion to-date  
3) Authorize the Yoakum Area Chamber of Commerce to continue operation of the Use of the Front Street Railroad Park for Market Days  
4) Appoint Mark Jahn to the Yoakum Oak Grove Cemetery Association Board of Directors for a three-year term  
5) Approve expenditure recommendations from the Hotel Occupancy Tax Advisory Board for billboard contracts  
6) Renew the City’s Identity Theft Policy as presented  
7) Authorize execution of FORM A1024 a presentation of Texas Department of Agriculture Form A1024 Texas Community Development Block Grant (TxCDBG) Section 3 Goals and Concepts as related to the TxCDBG Contract No. 7219213 Sidewalk Improvements & TxCDBG Contract No. 7220529 Waterline Improvements

MOTION to approve the Consent Agenda as presented was made by Councilmember Goodrich. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

THE following item was removed from the Consent Agenda for singular discussion: Consider adoption of a mental health policy for first responders – the item was tabled for a future agenda.

COUNCIL entered into their designation as Second Panel of the Building and Standards Commission and opened a public hearing to receive citizen comments regarding certain properties. Mr. Charles Hall was not present for the meeting. He indicated to the Code Enforcement Office prior to the meeting that he continues to work the properties located at 511 Lavaca Street, 601 Lavaca Street, and 603 Lavaca Street to bring each into compliance. Motion by Councilmember Goodrich to grant the property owner until December 1st 2021 to bring the properties located at 511 Lavaca Street, 601 Lavaca Street, and 603 Lavaca Street into compliance. Second was made by Councilmember Wenzel and motion carried unanimously.

CONTINUING in their designation as Second Panel of the Building and Standards Commission, Council received information regarding property located at 411 N. South Street. Mr. Jack Booth was present representing his property located at 411 N. South Street. Mr. Booth indicated that the top of the structure is beginning to cave in causing a hazard. Barricades have been placed around the area to help ensure the safety of pedestrians and vehicles. Mr. Booth has requested bids for the demolition of
the structure; the asbestos survey indicates that no asbestos is present in the building. Mr. Booth still wants to attempt to save the second floor of the structure. Removal time could be 30 days. After discussion, Councilmember Mooney made a motion to extend the demolition order for an additional 30 days and have the property owner submit the 10-day asbestos notice to the State. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

COUNCIL reviewed the property located at 305 Lowrance Street. The property owner was not present at the meeting, however, indicated to the Code Enforcement Office that demolition has begun and will be completed. After review, Councilmember Wenzel made a motion to allow the property owner until December 1, 2021 to finalize demolition and bring the property into compliance. Second was made by Councilmember Mooney and motion carried unanimously.

THE property located at 815 Cadwell Street was reviewed. The property owner was present; the property has been secured, the electricity has been completed, windows and siding have been completed, and staff is working with the property owner to provide additional spacing between the structure and the property line that is currently out of compliance with setback requirements. Motion by Councilmember Mooney to close the Second Panel case and refer the property to the Building and Standards Commission for monitoring. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, Council was closed.

MAYOR O'Neill opened a public hearing to receive citizen comments and to assess compliance to abate violations of the Chapter 683 in the Texas Transportation Code related to a 1998 Toyota Camry LIC# CFD1859, VIN: JT2BF22K6W0126284 located at 202 Plaza Street. Council was informed that the vehicle had been removed prior to the meeting as is no longer a nuisance. No action was taken and the public hearing closed.

MAYOR O'Neill opened a public hearing to receive citizen comments and to receive information regarding a requested closure of an alley within Block 1250 of the Svoboda Addition as shown on the official tax roll having an opening on Theresa and John Streets. Comments were received with no objections being heard. Hearing no further comments, Mayor O'Neill closed the public hearing.

MOTION by Councilmember Goodrich to adopt a resolution (recorded as No. 2021-23) closing an alley between Lots 1-6 and Lots 7-12 of Block 1250 in the Svoboda Addition with openings onto Theresa and John Streets. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

MAYOR O'Neill opened a public hearing to receive citizen comments and to receive information regarding a requested closure of an alley within Block 1223 of the Ranney Addition as shown on the official tax roll having an opening on Mann and Pat Cleburne Streets. Questions were posed and addressed with no objections being heard. Hearing no further comments, the public hearing was closed.

MAYOR Pro-Tem Klander made a motion to adopt a resolution (recorded as No. 2021-24) closing an alley between Lots 1-6 and Lots 7-12 of Block 1223 in the Ranney Addition with openings onto Pat Cleburne and Mann Streets. Motion was seconded by Councilmember Goodrich and carried unanimously.

REPRESENTATIVES from the Yoakum Little League Association were present to request funding assistance for needed improvements at the Little League facilities. Raymond Rosas and Shannon Blaschke provided information regarding the need for new dugouts, updated bathrooms, announcing booths, and concession stand improvements. Grants have been applied for and discussion was held regarding specific building propositions for the dugouts including the use of existing concrete flooring versus complete demolition, removal and replacement. With the improvements, the Little League representatives hope to host tournaments that will bring revenue to Yoakum businesses. After discussion, Councilmember Wenzel made a motion to provide $20,000 toward the little league field improvements and
provided staff direction to acquire cost estimates for bathroom improvements. Motion was seconded by Councilmember Mooney and carried unanimously.

CITY Manager Coleman provided information regarding bids received for the purchase and installation of a generator at the Fire Station. The grant provides for $115,000 to fund the project. The low bid was received at $182,000. Staff is working through the specifications to mitigate the cost. The GLO may allow the movement of funds from other projects to cover some of the shortfall. Staff’s recommendation is to allocate additional funds to bring the funding whole. After review and discussion, Councilmember Mooney made a motion to authorize additional funding to complete the project and award the contract for purchase and installation to Constar Construction of Victoria, Texas through the Texas General Land Office 2017 Community Development Block Grant – Disaster Recovery Grant Program (Contract No. 20-065-085-C246) with final contract price subject to re-scope of project. Motion was seconded by Councilmember Goodrich and carried unanimously.

DISCUSSION was held regarding the Solid Waste and Transfer Station operations including transfer station operations, commercial collection service, residential collection routes, and a waste diversion program. Revenues and costs associated with each of those services are not currently separated. Contemplation of contracting these services to an outside vendor was discussed. After review, Council gave direction to staff to provide a report on the cost effectiveness of the services provided and comparative numbers for solid waste contracting.

INFORMATION was provided: Within the general section of the ordinance that prohibits nuisances, there is an exception that allows storage of what would otherwise be a violation if it lies within an area 50 feet from any lot line adjacent to public property or private property containing a habitable dwelling. Currently, this is interpreted to mean that nonpublic health nuisances are allowed to continue on properties as long as the property owner owns enough property to create an area 50 feet from all perimeter property lines. The City Attorney has looked at this exception and how it applies to certain properties currently under enforcement and recommends clarifying this exception to make sure it meets with Council intent. After review of properties listed, Council gave direction to staff to move forward with a 10-day notice to the property owners associated with the nuisance properties and begin the abatement process.

THE Quarterly financial report was provided for review. After discussion, Councilmember Goodrich made a motion to accept the Quarterly Financial Statement as presented. Second was made by Councilmember Mooney; motion carried unanimously.

MOTION by Mayor Pro-Tem Klander to authorize the purchase of a patrol unit for the Police Department, a pickup truck for the Warehouse Department, and a Hydraulic excavation machine for the Public Works Department as budgeted and presented. Second was made by Councilmember Mooney. Motion carried unanimously.

AFTER review, Councilmember Mooney made a motion to approve expenditure for the following unbudgeted items in the final adopted FY22 Budget: Seal Coat Expense – $69,641.16. Work was originally budgeted in the FY 21 budget. Work was delayed due to COVID issues with contractor crew and not completed prior to 09/30, and therefore to be expensed this year; Crew Truck with Lift for Electric Department - $136,747.00. Purchase was originally budgeted in the FY 21 budget. Delivery has been delayed due to availability of aftermarket equipment. Equipment is schedule for delivery later this month; Trailer Bay Repair at Transfer Station - not to exceed $34,200. Work is needed to avoid safety issues and trailer damage as trailers enter and leave the pit at the Transfer Station. Work is recommended by and to be performed by Texas Disposal personnel; and Sidewalk Replacement at Nelson and Irvine – not to exceed $3,000. Work was originally slated for the FY 21 budget. Work was delayed due to issues with contractor’s crew and not completed prior to 09/30, and therefore to be expensed this year. Second was made by Councilmember Goodrich. Motion carried unanimously.

MOTION by Mayor Pro-Tem Klander to appoint Esser & Associates of Uvalde, Texas and award a contract for consulting services for the American Rescue Program Act grant application process in an
amount not to exceed $50,000. Second was made by Councilmember Mooney and motion carried unanimously.

STAFF provided information regarding proposed recognition events including a proclamation to establish the City of Yoakum as a Purple Heart City and a birthday recognition honoring the Municipal Golf Course’s 85th Anniversary. Council provided direction to move forward with both proposals.

UNDER City Manager’s Report, Council was reminded of the Bi-Annual Clean-Up Program scheduled for November 29 through December 3, 2021. The Special City Council meeting was scheduled for October 14, 2021 at 6:00 PM. An update was provided on the Downtown Sidewalk Project and addressed certain safety concerns. Within the next month staff will be working through a revised plan to include the Water Conservation Plan, the Drought Contingency Plan, and the Utility Recovery Plan. Information was provided on House Bill 738 providing for the adoption of the 2012 Building Code by all municipalities; the update will be reviewed and presented to Council for consideration. Close out of the 2020-2021 Fiscal Year Budget will be presented to Council for consideration at a future meeting.

MAYOR O’Neill announced that the Council would enter into Executive Session at 7:50 PM to deliberate regarding economic development negotiations with Eddy Pack, Inc. (V.T.C.A., Gov. Code, Sec. 551.087), and to deliberate the purchase, exchange, lease, or value of real property, including an easement acquisition for a drainage project, and the purchase of property for replacement of the Yoakum Street Water Tower (V.T.C.A., Gov. Code, Sec. 551.072). The meeting reopened to the public at 8:18 PM with the following action resulting from Executive Session: Motion by Councilmember Mooney to authorize the City Manager to respond to a letter of intent from Union Pacific Railroad in an amount not to exceed $23,000. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

THERE being no further business, the meeting adjourned at 8:20 PM.

Glenn A. Klander, Jr., Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
October 14, 2021  
Conference Room – 6:00 PM  
City Hall

SPECIAL MEETING/BUDGET WORKSHOP OF THE  
YOAKUM CITY COUNCIL

PRESENT:  
Carl O’Neill ..................................................... Mayor  
Glenn Klander .............................................. Mayor Pro-Tem  
Billy Goodrich .............................................. Councilmember  
Sean Mooney ................................................... Councilmember  
Tanya Wenzel .................................................. Councilmember  
Kevin M. Coleman .......................................... City Manager  
Theresa A. Bowe ............................................. City Clerk

ABSENT:  
Kenneth E. Kvinta ........................................... City Attorney

MAYOR O’Neill called the meeting to order in compliance with V.T.C.A., Gov. Code, Sec. 551.041 at 6:00 PM and opened the meeting to the public.

Council and staff reviewed goals, discussed the development of a set of working goals that the Council commits to over the next five years, and discussed the development a teamwork approach to handling Council business. Discussion was held regarding code enforcement issues and beautification issues. Proposals were reviewed and discussion was held regarding establishing an ordinance that would address vacant and unutilized buildings in the downtown area. City Manager requested a commitment from Council to make contact regarding City related issues directly to the City Manager and not staff or department heads.

Discussion was held regarding the Council’s role with the YEDC, and YEDC’s responsibility to Council. City Manager Coleman reminded Council of the conversations during the hiring process of the current Executive Director of the Yoakum Economic Development Corporation that deliberately established a direct reporting avenue to the Yoakum Economic Development Board of Directors instead of directly to the City Manager. Issues of non-responsiveness to our local business owners and the newly established YEDC headquarters in the downtown area were discussed. Council gave direction to Councilmember Mooney as City Council Liaison to the YEDC, to bring the concerns to the attention of the YEDC Board to be addressed.

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

Glenn A. Klander, Jr., Mayor Pro-Tem  
City of Yoakum, Texas

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

PRESENT: Glenn Klander ...........................................Mayor Pro-Tem
Billy Goodrich ..................................................Councilmember
Sean Mooney .......................................................Councilmember
Tanya Wenzel .......................................................Councilmember
Kevin M. Coleman ................................................City Manager
Kenneth E. Kvinta ................................................City Attorney
Theresa A. Bowe ......................................................City Clerk

ABSENT: Carl O’Neil .........................................................Mayor

MAYOR Pro-Tem Klander called the City Council meeting to order and Mayor Pro-Tem Klander gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

a) ADOPTION OF MINUTES from the meetings of October 12, 2021 and October 14, 2021
b) Receive a request from the Yoakum Heritage Museum to authorize the closure of a portion of Simpson Street in coordination with Museum events scheduled for November 18, 2021 and December 9, 2021
c) Authorize City Manager to advertise for bids for a water system improvement project as funded through the 2019-2020 Texas Department of Agriculture – TX Community Development Block Grant (TxCDBG #7220529)
d) Adopting a resolution (recorded as No. 2021-25) casting votes for Conyetta Swaney for the DeWitt County Appraisal District Board of Directors for a two-year term
e) Adopt a resolution (recorded as No. 2021-26) casting votes for Walt Hairell for the Lavaca County Central Appraisal District Board of Directors for a two-year term
f) Proclaim the City of Yoakum as a Purple Heart City

MOTION to approve the Consent Agenda as presented was made by Councilmember Goodrich. Second was made by Councilmember Mooney and motion carried unanimously.

LAURA Henson was present to provide details on the activities for the Yoakum Heritage Museum as presented in the consent agenda.

MAYOR Pro-Tem Klander opened a public hearing to receive citizen comments to receive citizen comments on a recommendation from the Planning and Zoning Commission on the following:

a) Approval of a request from Janet Adamek for approval of a preliminary plat as defined in Chapter 42, Article II. Plat Procedure of the Yoakum Code of Ordinances on property described as Lots 1-3 of Block 1123 in the Ellen May Addition as shown on the official tax roll (for location reference only: 507, 509 & 511 W. Gonzales Street) in the City of Yoakum. Janet Adamek was present to provide information and
answer questions. Ms. Adamek indicated that the property is being re-subdivided in order to sell each lot individually.

b) Approval of a request from Wayne Buethe for a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7, 8, & 9 of Block 1169 in the Nelson Addition as shown on the official tax roll (for location reference only: 107 Waco Street) in the City of Yoakum. Mr. Buethe was present to provide information and answer questions. He indicated that he is preparing to expand his business. No opposition from surrounding property owners were received.

c) Approval of a request from Marina Diaz for a Change in Zoning from Commercial (C-2) to Residential (R-4) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7 & 9 of Block 1054 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 107 & 111 Concrete Street) in the City of Yoakum. The property owner was not present. Information was presented by the Code Enforcement office. The property owner intends to place a single wide manufactured home on the location. No opposition was received from the surrounding property owners.

HEARING no further comments, the public hearing closed.

MOTION by Councilmember Wenzel to approve a preliminary plat as defined in Chapter 42, Article II. Plat Procedure of the Yoakum Code of Ordinances on property described as Lots 1-3 of Block 1123 in the Ellen May Addition as shown on the official tax roll (for location reference only: 507, 509 & 511 W. Gonzales Street) in the City of Yoakum. Second was made by Councilmember Mooney and motion carried unanimously.

COUNCILMEMBER Mooney made a motion to adopt an ordinance (recorded as No. 2188) on first reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7, 8, & 9 of Block 1169 in the Nelson Addition as shown on the official tax roll (for location reference only: 107 Waco Street) in the City of Yoakum. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to adopt an ordinance (recorded as No. 2189) on first reading granting a Change in Zoning from Commercial (C-2) to Residential (R-4) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7 & 9 of Block 1054 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 107 & 111 Concrete Street) in the City of Yoakum. Councilmember Wenzel seconded. Motion carried unanimously.

COUNCIL entered into their designation at Second Panel of the Building and Standards Commission to review previous orders for property located at 411 N. South Street. Mr. Jack Booth was present to provide information. A demolition group out of Houston, Texas has been contracted to remove the structure safely. The property owner has notified the State and is currently waiting the required ten days to begin demolition. Weather permitting, the demolition is expected to be complete by November 25, 2021. After review and discussion, Councilmember Mooney made a motion to provide a 30-day extension to the demolition order. Second was made by Councilmember Wenzel; motion carried unanimously.

COUNTINUING in their designation as Second Panel of the Building and Standards Commission, Council reviewed previous orders for property described as Lot 13, Block 1119, Park
Heights Addition (118 Arnold St.). The property owner was present to answer questions and provide information. Sipriana Perez along with her attorney Matthew Jirkovsky indicated that previous violation letters were not received although the letters were sent certified to her home and confirmation of a person accepting the letters were provided by postal workers. Ms. Perez indicated that she is waiting on a plumber to meet with her to discuss needed repairs and that the structure has been burglarized on more than one occasion; the property owner indicated that she is afraid that if repairs are made, progress will be destroyed by vandals. The structure is currently unsecured and continues to be a nuisance. Council provided direction to the property owner to secure the structure and report vandalism to the Police Department on each occasion. After discussion, Councilmember Mooney made a motion to deny the appeal of the demolition order. Second was made by Councilmember Wenzel and motion carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, Council was closed.

MAYOR Pro-Tem Klander opened a public hearing to receive citizen comments and to assess compliance to abate violations of the Chapter 683 in the Texas Transportation Code related to the following vehicles:

a) 2012 Black Dodge D-15 Lic#CA53488, VIN:1C6RD6FTXCS331877 - removed
b) 1989 Maroon Oldsmobile Oldsdrf Lic#DK8L867, VIN: 1G3HN54C0K1832232 - removed
c) 1997 Tan Chevrolet C/K 150 Lic#JLL0917, VIN:2GCEK19RXV1261865 - removed
d) 2005 Tan Toyota Lic#DJ4W859, VIN: JTEGD21A250131438 – still in public view and considered a nuisance.

e) 2003 Blue Ford Exp Lic#LXL7886, VIN:1FMPU17L63LA90598 - removed
f) 1997 Gray Buick, Lic# HBS2655, VIN: 1G4HP52K4VH408421 – unable to contact property owners

g) Manlift (201 W. Morris Street) – property owner was present and explained that the equipment was operational and used for working on the structure. The battery has been stolen out of the equipment, but will function and will be used to repair the roof of the structure.

h) Forklift (602 Front Street) – property owner was not present and information was presented by Code Enforcement.

i) 1997 Blue Audi42Q, Lic#BCT2164, VIN: WAUEA88D2VA185708 – unable to determine the owner of the vehicle; however the property owner indicated that he does not know who the vehicle belongs to.

j) 2007 White Chevint Lic#CGM6611, VIN:2G1WT58N479299192 - removed

k) Recreational Vehicle (813 Simpson Street) – the property owner was present and indicated that the vehicle is utilized for store feed for the animals located on the property and it is not intended for living quarters.

l)1998 Toyota Camry Lic# CFD1859, VIN: JT2BF22K6W0126284 – the property owner was not present, but a family member has indicated that the vehicle will be removed. It remains on the property as of this date.

Hearing no further comments from the public, the public hearing closed.

MOTION by Councilmember Mooney to declared the 2005 Tan Toyota Lic#DJ4W859, VIN: JTEGD21A250131438 a junk vehicle and order removal. Second was made by Councilmember Goodrich and motion carried unanimously.

MOTION by Councilmember Goodrich to declare the 1997 Gray Buick, Lic# HBS2655, VIN: 1G4HP52K4VH408421 a junk vehicle and order removal. Second was made by Councilmember Mooney; motion carried unanimously.
MOTION by Councilmember Mooney to declare the Manlift located at 201 W. Morris Street a junk vehicle and order removal. Motion was seconded by Councilmember Wenzel and carried unanimously.

MOTION by Councilmember Goodrich to declare the Forklift located at 602 Front Street a junk vehicle and order removal. Motion was seconded by Councilmember Mooney and motion carried unanimously.

MOTION by Councilmember Mooney to declare the 1997 Blue Audi42Q, LIC#BCT2164, VIN: WAUEA88D2VA185708 a junk vehicle and order removal. Second was made by Councilmember Wenzel and motion carried unanimously.

MOTION by Councilmember Mooney to declare the Recreational Vehicle located at 813 Simpson Street a junk vehicle and order removal. Motion was seconded by Councilmember Wenzel and carried unanimously.

A request was received from the owner of a previously determined junk vehicle located at 211 Fink Street. Sipriana Perez indicated that she thought she had complied with the Council's previous order and asked permission to remove the vehicle from the City limits. After discussion, Councilmember Mooney made a motion to order the vehicle removed from the City limits within seven days and allow the junk vehicle title to be signed over to the property owner. Second was made by Councilmember Goodrich and motion carried unanimously.

MOTION by Councilmember Goodrich to approve a change order and final payment to WJC Constructors Services, LLC of Smithville, Texas for the TXCDBG Contract #7219312 Texas Capital Fund Downtown Revitalization Program Sidewalks Improvement Project as presented. Second was made by Councilmember Mooney and motion carried unanimously.

MOTION by Councilmember Goodrich to approve the final payment contingent upon final punch list items being completed with 10% retainage held until completion. Motion was seconded by Councilmember Mooney and motion carried unanimously.

COUNCILMEMBER Mooney made a motion to approve the final revised contract for the purchase and installation of the Yoakum Fie Station Generator through the Texas General Land Office – Texas Community Development & Revitalization Program, GLO Contract No. 20-065-085-C246 as presented in the amount of $182,900 from Constar Construction of Victoria, Texas. Second was made by Councilmember Goodrich and motion carried unanimously.

MOTION by Councilmember Mooney to adopt ordinances (recorded as No. 2184A and 2184B) on second and final reading amending the 2020-2021 City of Yoakum Fiscal Year Budget as presented. Second was made by Councilmember Goodrich and motion carried unanimously.

REVIEW was held of major property code violations and current enforcement. Direction was provided to bring back an ordinance to eliminate the 50 foot exception rule. The City Attorney is looking at the specific guidelines to ensure proper procedures are followed. Discussion was held of a proposed downtown vacancy ordinance. Additional information will be brought to a future Council meeting.

INFORMATION was presented regarding a mental health policy for first responders outlined by Senate Bill 1359. After review and discussion, Councilmember Mooney made a motion
to adopt the mental health policy as presented. Second was made by Councilmember Wenzel and motion carried unanimously.

REVIEW of scheduling and items to be discussed at the Joint City Council/YEDC Workshop was held. Intentions are to schedule the meeting for Monday, December 6th or 13th. Talking points will be provided.

UNDER City Manager’s Report, Council was reminded of the Bi-Annual Clean-Up Program scheduled for November 29 through December 3, 2021. The Yoakum Heritage Museum Christmas Tree Forest will be held during the month of December. Council was reminded of the Senior Citizen Christmas Party hosted in coordination with the Lavaca County Senior Citizen Center on December 15, 2021. Blue Santa Distribution has been scheduled for December 18, 2021. Holiday schedules were presented for review. The Yoakum Little League project is underway; demolition of the four dugouts that have been targeted have been completed and work continues. Review was held of the EMS Director/Assistant Fire Chief job description. Work continues on the Water Conservation Plan, Drought Contingency Plan, and Utility Recovery Plan. House Bill 738 concerning the 2012 Building Code adoption was discussed. Revenues and expenses for the Transfer Station and Solid Waste Department will be presented at the December meeting. Funding opportunities for the American Recovery Program Act will also be presented at the December meeting.

MAYOR Pro-Tem Klander announced that the Council would enter into Executive Session at 7:45 PM to deliberate regarding economic development negotiations with Eddy Pack, Inc. (V.T.C.A., Gov. Code, Sec. 551.087), and to deliberate the purchase, exchange, lease, or value of real property, including an easement acquisition for a drainage project, the purchase of property for replacement of the Yoakum Street Water Tower (V.T.C.A., Gov. Code, Sec. 551.072), and to deliberate regarding an electric utility related matter (V.T.C.A.Q., Gov. Code, Sec. 551.086) The meeting reopened to the public at 8:03 PM with the no action resulting from Executive Session.

THERE being no further business, the meeting adjourned at 8:03 PM.

Carl O'Neill, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
December 14, 2021
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Carl O’Neill .............................................. Mayor
          Glenn Klander ........................................ Mayor Pro-Tem
          Billy Goodrich ........................................ Councilmember
          Sean Mooney ........................................ Councilmember
          Tanya Wenzel ........................................ Councilmember
          Kevin M. Coleman ................................... City Manager
          Kenneth E. Kvinta ................................... City Attorney
          Theresa A. Bowe ..................................... City Clerk

ABSENT: None

MAYOR O’Neill called the City Council meeting to order and Councilmember Mooney gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending.

VISITORS were acknowledged and welcomed.

CONSENT Agenda: All consent agenda items listed are considered routine by the City Council and are enacted by one motion, unless a Councilmember requests to move an item and consider it separately.

a) Adoption of the minutes from the meeting of November 9, 2021

b) Approve a final plat as defined in Chapter 42, Article II. Plat Procedure of the Yoakum Code of Ordinances on property described as Lots 1-3 of Block 1123 in the Ellen May Addition as shown on the official tax roll (for location reference only: 507, 509 & 511 W. Gonzales Street) in the City of Yoakum

c) Adopt an ordinance (recorded as No. 2188) on second and final reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7, 8, & 9 of Block 1169 in the Nelson Addition as shown on the official tax roll (for location reference only: 107 Waco Street) in the City of Yoakum

d) Consider adopting an ordinance (recorded as No. 2189) on second and final reading granting a Change in Zoning from Commercial (C-2) to Residential (R-4) as defined in Chapter 52. Zoning of the Yoakum Code of Ordinances on property described as Part of Lots 7 & 9 of Block 1054 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 107 S. Concrete Street) in the City of Yoakum

e) Adopt a resolution (recorded as No. 2021-27) Regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Contract #22-085-036-D280 & 22-085-036-D329. *Policies included under this resolution include: Citizen Participation Plan, Excessive Force Policy, Section 504 Policy, Section 3 Policy & Reaffirming the Fair Housing Policy*

f) Adopt a resolution (recorded as No. 2021-28) Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Contract #22-085-036-D280 & 22-085-036-D329

g) Approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract Number #22-085-036-D280

h) Approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract Number #22-085-036-D329
i) Adoption of Procurement Policies & Procedures pertaining to the GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Infrastructure Contract Number #22-085-036-D329
j) Adoption of Procurement Policies & Procedures pertaining to the GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Infrastructure Contract #22-085-036-D280
k) Proclaim the month of January 2022 as School Board Appreciation Month
l) Acceptance of the Annual Report from the Yoakum Economic Development Corporation Board of Directors

MOTION to approve the Consent Agenda as listed was made by Mayor Pro-Tem Klander. Second was made by Councilmember Mooney and motion carried unanimously.

MOTION by Councilmember Mooney to approve a recommendation from the Yoakum Economic Development Corporation Board of Directors to accept a bid and award a services contract for an ALTA land survey for Yoakum Industrial Park II to CDS Muery of San Antonio, Texas based on scores from the YEDC Committee in the amount not to exceed $39,500. Second was made by Councilmember Wenzel and motion carried unanimously.

COUNCIL entered into their designation at Second Panel of the Building and Standards Commission and opened a public hearing to review previous orders for property located at 411 N. South Street. Mr. Jack Booth was present to provide information. The front of the structure has been removed; roofing on the remaining building will need to be replaced and Mr. Booth intends to correct issues with the brick on the building. The wooden structure at the rear of the property was the initial concern of staff and remains to be dealt with. Once repairs are complete, Mr. Booth intends to utilize the property for a warehouse. Second Panel review was held the property located at 505 Moffitt Street owned by Mr. Ronald Law. A manufactured home had been ordered removed from the property. Mr. Ernest Elizondo was present to provide information indicating that he intends to assist Mr. Law with the removal and will complete the process within 30 days with the exception of the metal frame. Further compliance issues were addressed on the property including general maintenance of the grounds and a junk vehicle that remains on the property. Discussion was held regarding property located at 305 Lowrance Street. The property owner was not present. Code Enforcement staff indicated that most of the property has been cleared, and the property owner indicated that there is a buyer for the remaining lumber. Review was held of 511 Lavaca Street, 601 Lavaca Street, and 603 Lavaca Street. Mr. Hall was not present. The structure has been removed, one junk vehicle has been removed, and one junk vehicle still remains. The property has not been brought into compliance as of this date. Properties located at 706 Lott Street and 709 Irvine Street represented by Mr. Bobby Orr were reviewed for compliance. Mr. Orr provided a letter indicating that he has removed 18 loads of debris from the properties and has a few more items to remove from the property. Items have been removed from the alley. Code Enforcement indicated that a great deal of progress has been made.

THE public hearing closed and the following actions were taken:

MOTION by Councilmember Wenzel to allow an additional 90-days for the property owner to complete the renovations and clean up on property described as Lots 5, & 6 of Block 1167 in the Leo Tucker Addition (411 N. South Street). Second was made by Councilmember Mooney; motion carried unanimously.

MAYOR Pro-Tem Klander made a motion to allow a 60-day extension for the removal of the manufactured home structure and 90-days to remove the metal frame at property described as Lots 1, 2, & 3 of Block 1144 in the Leo Tucker Addition (505 Moffitt Street). Motion was seconded by Councilmember Goodrich and carried unanimously.
COUNCILMEMBER Mooney made a motion to include the vehicle located on property described as Lots 1, 2, & 3 of Block 1144 in the Leo Tucker Addition (505 Moffitt Street) to the junk vehicle process. Motion was seconded by Councilmember Wenzel and carried unanimously.

MOTION by Councilmember Mooney to refer the property described as ¼ of Lot 1 in Block 1079 of the Jakubik Addition to the Building and Standards Commission for continued monitoring. Councilmember Wenzel seconded the motion; motion carried unanimously.

NO action for extension was provided for properties described as Lots 7 & 8 of Block 1241 in the Berry Addition (511 Lavaca Street), Lot 6 of Block 1241 in the Berry Addition (601 Lavaca Street), and Lots 4 & 5 of Block 1241 in the Berry Addition (603 Lavaca Street). Staff was instructed to move forward with enforcement procedures.

COUNCILMEMBER Mooney made a motion to provide a 30-day extension for properties described as Lots 1, 2, & Part of 3 of Block 1013 in the Yoakum Townsite Addition (706 Lott Street) and Lots 4, 5, 6, & Part of 3 of Block 1013 in the Yoakum Townsite Addition (709 Irvine Street) to provide an opportunity for the property owner to complete the compliance process. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

THERE being no further business under the Second Panel of the Building and Standards Commission, the session was closed.

MOTION by Councilmember Mooney to approve Amendment #1 for the Engineering Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract #22-085-036-D329. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

COUNCILMEMBER Goodrich made a motion to approve Amendment #1 for the Engineering Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract Number #22-085-036-D280. Motion was seconded by Mayor Pro-Tem Klander and carried unanimously.

MOTION by Mayor Pro-Tem Klander to approve engineering services agreement for additional engineering services related to contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract #22-085-036-D329 and Contract #22-085-036-D280. Second was made by Councilmember Wenzel; motion carried unanimously.

COUNCILMEMBER Mooney made a motion to approve of a change order to the contract for the purchase and installation of the Yoakum Fire Station Generator through the Texas General Land Office - Texas Community Development & Revitalization Program, GLO Contract No. 20-065-085-C246 as presented. Motion was seconded by Councilmember Goodrich and carried unanimously.

MOTION by Councilmember Goodrich to approve a change order to the contract for the Dunn Street Improvement Project through the Texas General Land Office - Texas Community Development & Revitalization Program, GLO Contract No. 20-065-085-C246 as presented. Second was made by Mayor Pro-Tem Klander and motion carried unanimously.

A report from the City Manager on project status and funding for the Texas General Land Office - Texas Community Development & Revitalization Program, GLO Contract No. 20-065-085-C246 was provided. An updated tracking worksheet showing the current anticipated overall cost of
the Projects being funded under the GLO - DR grant and the funding shortfalls for those projects was presented. It was presented for information only and will be updated as the Change Order numbers are finalized.

REVIEW of potential uses of the American Recovery Program funds was provided. A list was developed as a result of working with the Esser and Associates as our grant coordinator, and is based on best information available at the time. General Council discussion to-date has been to target the use of these funds into one-time project-based expenses. Lost revenue due to COVID-19, concepts for personnel compensation were reviewed; broadband infrastructure was questioned, services offered through the Lower Colorado River Authority were reviewed, and funds will be earmarked for a propagation study. Staff received direction from the Council and will return a more definitive list of projects in January 2022 for review.

MOTION by Councilmember Mooney to adopt an ordinance on first reading (recorded as No. 2190) amending Chapter 46 of the City of Yoakum Code of Ordinances specifically section 46-63. Parking Prohibited on restricting parking as amended to include vehicles over 35 feet and vehicles with attached trailers over 35 feet in length. Second was made by Councilmember Wenzel. Motion carried unanimously.

MAYOR Pro-Tem Klander made a motion to adopt an ordinance (recorded as No. 2191) on first reading amending Chapter 26 of the City of Yoakum Code of Ordinances specifically section 26-2. Prohibited nuisances removing the 50-foot exception allowing nuisances. Motion was seconded by Councilmember Mooney and carried unanimously.

DISCUSSION was held on the development of potential ordinance concerning property maintenance code of ordinance regulations on commercial buildings. Direction was provided to staff to make contact with the Yoakum Area Chamber of Commerce to get input. Staff will provide additional information at a future meeting.

MOTION by Councilmember Wenzel to approve an above budget purchase of a 2016 John Deere 7700A Precision Cut Mower fairway mower for the Golf Course Department from Brookside Equipment Rentals Houston, Texas as a sole source vendor in the amount of $22,500. Second was made by Councilmember Goodrich; motion carried unanimously.

MAYOR Pro-Tem Klander made a motion to approve an above budget purchase and approve a service agreement for software for the Code Enforcement Department through Service Agreement with IworQ System Inc. of Logan, UT in the amount of $14,900 for year one, and $8,900 for year two. Motion was seconded by Councilmember Goodrich and carried unanimously.

REVIEW of Transfer Station/Solid Waste revenues and expenses was tabled for the January 2022 meeting.

UNDER City Manager’s Report, Council was provided a report from the Bi-Annual Clean-Up Program held November 29 through December 3, 2021. The Yoakum Heritage Museum Christmas Tree Forest continues through the month of December 2021 until January 13, 2022. Council was reminded of the Senior Citizen Christmas Party hosed in coordination with the Lavaca County Senior Citizen Center on December 15, 2021. Blue Santa Distribution has been scheduled for December 18, 2021. Council was invited to the Yoakum Area Chamber of Commerce Banquet scheduled for January 27, 2022. Holiday schedules for the month of December 2021 and for 2022 were presented for review. A summary of the 2022 Election calendar was presented. Work continues on the Water Conservation Plan, Drought Contingency Plan, and Utility Recovery Plan.
House Bill 738 concerning the 2012 Building Code adoption was discussed. Review is scheduled for the 2022 Street Improvement Project at the January 2022 Council meeting. Council will be asked to review House Bill 738 concerning International Building Code updates. Close out and extension of the Ameresco contract for the automated meter infrastructure project will be brought to Council for review. Close out of the installation should be complete by the end of January 2022. Large commercial meters will not be available for 10 to 12 months and staff will recommend closing the contract out minus the remaining meters and finalize once the back ordered meters have been received and installed.

COUNCIL entered into a brief recess at 7:45 PM for refreshments provided by HEB of Yoakum and entered back into session at 7:54 PM.

MAYOR O'Neill announced that the Council would enter into Executive Session at 7:54 PM to deliberate regarding economic development negotiations with Eddy Pack, Inc. (V.T.C.A., Gov. Code, Sec. 551.087), to deliberate the purchase, exchange, lease, or value of real property, including an easement acquisition for a drainage project, the purchase of property for replacement of the Yoakum Street Water Tower (V.T.C.A., Gov. Code, Sec. 551.072), to deliberate regarding an electric utility related matter (V.T.C.AQ., Gov. Code, Sec. 551.086), to deliberate the appointment, employment, evaluation, etc. of an Associate Municipal Court Judge and the Municipal Court Judge position (V.T.C.A., Gov. Code, Sec. 551.074), 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 8:40 PM with the following action resulting from Executive Session: motion by Councilmember Goodrich purchase a drainage easement agreement from property owners in the amount of $3,500 for the Kennedy Ditch improvement project. Second was made by Mayor Pro-Tem Klander; motion carried unanimously. Motion by Councilmember Mooney to remain with the Lower Colorado River Authority and return 15% back to the base rate. Mayor Pro-Tem Klander seconded the motion. Motion carried unanimously. Councilmember Mooney made a motion to approve the appointment of Sharon Mucala as the Associate Municipal Court Judge. Motion was seconded by Councilmember Goodrich and carried unanimously. Mayor O'Neill provided information regarding contract negotiations with City Manager Coleman indicating that adjustments would be made to the provided agreement and considered at a future meeting.

THERE being no further business, the meeting adjourned at 8:43 PM.

Carl O'Neill, Mayor  
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk