

City Of Poteet Regular Meeting of the City Council

491 Avenue H, City Hall

Tuesday July 2, 2019

6:30 P.M.

MINUTES

Councilmembers Present:

Mayor Willie Leal Jr.
Mayor Pro-Tem Nicholas Sanchez
Councilwoman Denise Sanchez
Councilman Rick Flores Sr.
Councilman Rick Castillon
Councilman Jesse Leal

Staff Present:

City Administrator Eric Jiminez
City Secretary Abigayle Frautschi
City Attorney Richard Lindner
Chief of Police Bruce Hickman
Finance Director Richard Middleton
Fire Chief Curtis Adams
Director of Public Works Robert Buentello
Utility Supervisor Ruben Quintana Jr.
Librarian Lisa Burbridge

Councilmembers Absent:

None

Citizens Present:

Diana Leal Diana Guthrie Rachel Leal Florinda Carrasco
Carolyn Vasquez Margaret Hardin Bob Hurley Dave Collett
Elvira Camarillo Rosa Luna Mary Garcia Chris Lopez

I. CALL TO ORDER

Time: 6:30 P.M.

II.

- A. Determination of Quorum
- B. Pledge of Allegiance
- C. Invocation
- D. Mayor's Introduction

Mayor Willie Leal Jr. called the meeting to order at 6:30 P.M., and determined a quorum present with all members in attendance. Mayor Leal then led the pledge of allegiance and invocation.

III. CITIZEN COMMENTS (3 MINUTE LIMIT)

Speakers need to complete the supplied form prior to this meeting. Any person who makes personal, disrespectful, slanderous remarks, or who become boisterous while addressing the council or attending a council meeting shall be removed from room if so directed by the Mayor or Mayor Pro-Tem if the Mayor is absent or at the request of the majority of the council. Please be advised that comments will have no action and no discussion at this meeting. (Attorney General Opinion jc-0169). **(A speaker signed up may not cede time to another speaker to continue speaking Ordinance # 12012014-01.)**

Pastor Dave Collett stood to address the Mayor and Council. He briefed all members about an event coming in September called "No need among you conference" He invited all to attend.

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Revised January 2014

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Doris Thomas also signed up to speak, but requested that she get to speak on the agenda item when it comes up. She wants to speak about Agenda Item D, regarding the Variance request submitted by Richard Castillon. Mayor allowed this.

IV. APPROVAL OF MINUTES

- A. Approve the Minutes for the June 4, 2019-Regular Meeting

Motion Denise Sanchez 2nd Rick Castillon

For	Against	Abstain	
X			Mayor Pro Tem Nicholas Sanchez
X			Councilmember Denise Sanchez
X			Councilmember Rick T. Flores Sr.
X			Councilmember Richard Castillon
X			Councilmember Jesse Leal
			Mayor Willie Leal JR (Present but not voting)

Councilwoman Denise Sanchez made a motion to approve the minutes for June 4, 2019 as written. Councilman Rick Castillon 2nd the motion. Vote Taken, Motion Carries 5-0.

V. STAFF REPORTS

- A. City Administrator
- B. Police Department
- C. Municipal Court
- D. Public Works
- E. Finance
- F. Library
- G. Fire Department

All staff gave reports. City Administrator Eric Jiminez reminded Mayor and Council that the City does have Budget and Tax Workshops, along with Public Hearing coming up soon. Finance Department reminded Mayor and Council that the current sitting Finance Director Richard Middleton will be retiring at the end of July. Mr. Middleton has been with the City of Poteet for 8 years. Fire Chief Curtis Adams wasn't available to give the Fire Departments report, so assistant Chief Chris Lopez stood and gave reports.

VI. NEW BUSINESS

- A. Demonstration of new electronic voting machines and discussion on new early voting procedures and county-wide voting. (Judge Bob Hurley)
Atascosa County Judge Bob Hurley stood and addressed Mayor and Council, stating that the County is looking into buying new machines used for voting. These new machines will convert everything into the electronic machine. There would be no more paper ballots to fill out. He also stated that he would like to try and get two more Early Voting stations in play. He stated that with these new machines it wouldn't matter what polling place the voter goes to, they can still be able to vote. The Machines have the capability if holding ever registered voter in the County, but be able to differentiate each person voting district. In doing this the machine would be able to print out only that specific voter's precinct offices. Judge Hurley stated that Atascosa County currently has 24 polling places and is still looking for 2 more hopefully in Poteet. He also stated that the County will be testing these County Wide Voting Systems in the upcoming November Elections. After explaining all this, Judge Hurley allowed citizens in the audience use a demo machine so that they can get the feel of it.

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B. Discussion / Possible Action on entering into an interlocal agreement with Atascosa County for the purpose of Animal Control Services. (*Atascosa County Animal Control Henry Dominguez*)

Motion _____ 2nd _____

For	Against	Abstain
		Mayor Pro Tem Nicholas Sanchez
		Councilmember Denise Sanchez
		Councilmember Rick T. Flores Sr.
		Councilmember Richard Castillon
		Councilmember Jesse Leal
		Mayor Willie Leal JR (Present but not voting)

This item was placed on the agenda too early; it will need to go to County Commissioners Court first. No Action was taken on this item. It will be placed on next months agenda.

C. Discussion / possible Action on awarding a construction contract to Etech Construction Inc. for the TX CDBG Contract # 7217369 Sanitary Sewer System Improvements Project Phase II. (*LNV Rep*)

Motion Denise Sanchez 2nd Rick Castillon

For	Against	Abstain
X		Mayor Pro Tem Nicholas Sanchez
X		Councilmember Denise Sanchez
X		Councilmember Rick T. Flores Sr.
X		Councilmember Richard Castillon
X		Councilmember Jesse Leal
		Mayor Willie Leal JR (Present but not voting)

Byron Shroder with LNV Engineering stood and spoke to Mayor and Council. He explained that last year the City of Poteet was awarded a grant for the placement of a Sewer Trunk Line, after completing this project there was some money left over in the grant. With this left over money the City is able to go back out for bids and do an extension to that trunk line. He recommends that the City award the construction bid to “E Tech Constructions” for \$77,180.00 Mayor Leal what makes E- Tech best qualified for this job? Byron Shroder stated that the grant lists many guidelines in the grant application and E Tech listed all those requirements with their bid. Councilwoman Denise Sanchez made a motion to award the bid to Etech Construction Inc. for the TX CDBG Contract # 7217369 Sanitary Sewer System Improvements Phase II. Councilman Rick Castillon 2nd the motion. Vote Taken, Motion Carries 5-0.

D. Discussion / Possible Action on a request for variance from Richard Castillon on “Vent Hood” compliance located at 8755 N SH 16, Biggs Pizza (Tabled from last month) (*Councilmember Richard Castillon*)

Motion Nicholas Sanchez 2nd Denise Sanchez

For	Against	Abstain
X		Mayor Pro Tem Nicholas Sanchez
X		Councilmember Denise Sanchez
	X	Councilmember Rick T. Flores Sr.
		Councilmember Richard Castillon
X		Councilmember Jesse Leal
		Mayor Willie Leal JR (Present but not voting)

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Because the requestor of this variance is a current Councilmember, Mr. Castillon was asked to step out of the room until the discussion was complete. Mr. Castillon stepped out at 7:29 PM. Doris Thomas stood and spoke on Mr. Castillon's behalf. She stated that she lives 2 miles north of Potet, Bobby Buentello stood and spoke briefly stating that the building was built in 2016, and it started off as a cell phone place, and the building next door was going to be used as storage. With that being the plans the building passed inspection. However a new Certificate of Occupancy came up the new inspector came to inspect the building. The storage building was turned into a Pizza place. The inspector noticed that the building has a commercial fryer, and no vent hood over the fryer. Inspector Bill Lay stated that Mr. Castillon will need to purchase and install a Type 1 style Vent Hood to be in compliance. He explained that these are the rules of the International Building Code. Mayor Pro Tem Nicholas Sanchez made a suggestion that because of the price of this hood, the City can allow 3 months for Mr. Castillon to purchase and install this new vent hood. Mayor Pro Tem Nicholas Sanchez made a motion to grant a 3 month variance to allow the installation that the required vent hood. Councilwoman Denise Sanchez 2nd the motion. Vote Taken, Motion Carried 3-1-1, with Councilman Rick Flores voting against, and Councilman Rick Castillon NOT voting. 3 Months gives until October 3, 2019.

E. Discussion / Possible Action on request from Fire Department for financial assistance for the purchase of SCBA Breathing Apparatuses' (Fire Chief. Curtis Adams)

Motion Nicholas Sanchez 2nd Denise Sanchez

For	Against	Abstain	
X			Mayor Pro Tem Nicholas Sanchez
X			Councilmember Denise Sanchez
		X	Councilmember Rick T. Flores Sr.
X			Councilmember Richard Castillon
X			Councilmember Jesse Leal
			Mayor Willie Leal JR (Present but not voting)

Chris Lopez stood and addressed Mayor and Council. He explained that the Fire Department had to make an emergency purchase for these new SCBA Apparatuses because of and incident where a firefighter went into a structure fire and the SCBA that he was using failed endangering the firefighter's life. The cost of these apparatuses was \$33,691. They are asking that the City help the fire department with the costs of these machines. The Mayor explained that they City can allocate some funds in the upcoming years budget for the SCBA's, but at the moment the City didn't have the money to give back. Mayor Pro Tem Nicholas Sanchez made a motion to pay back the fire department in the upcoming years budget a portion of the cost of the SCBA. Councilwoman Denise Sanchez 2nd the motion. Vote Taken, Motion Carried 4-1, with Councilman Rick Flores abstaining as he is a member of the Fire Department.

F. Discussion / Possible Action on amending Ordinance # 12012014-01, Section 3 – Call to Order, removing “ In the event of there not being a quorum at the time the meeting is called to order, the Council may discuss matters, but shall not take any action until a quorum is present.” (Mayor Willie Leal)

Motion _____ 2nd _____

For	Against	Abstain	
			Mayor Pro Tem Nicholas Sanchez
			Councilmember Denise Sanchez
			Councilmember Rick T. Flores Sr.
			Councilmember Richard Castillon

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		Councilmember Jesse Leal
		Mayor Willie Leal JR (Present but not voting)

Mayor Indicated that this item is no longer needed. No Action taken.

- G. Discussion / Possible Action on possibly dissolving the City of Poteet Planning and Zoning Commission (*City Administrator Eric Jiminez*)

Motion Nicholas Sanchez 2nd Jesse Leal

For	Against	Abstain
X		Mayor Pro Tem Nicholas Sanchez
X		Councilmember Denise Sanchez
X		Councilmember Rick T. Flores Sr.
X		Councilmember Richard Castillon
X		Councilmember Jesse Leal
		Mayor Willie Leal JR (Present but not voting)

City Administrator Eric Jiminez stated that the Planning & Zoning Commission was created in October of 2017. With in that time the Commission has had issues completing tasks given to them by Council. There is many disagreements, and mostly end up off topic. It is also hard to get enough members together to hold a meeting. They haven't held a meeting since January 2019. Mayor Pro Tem Nicholas Sanchez made a motion to dissolve the Planning & Zoning Commission effective immediately. Councilman Jesse Leal 2nd the motion. Vote Taken, Motion carried 5-0.

VII. EXECUTIVE SESSION

The City Council of the City of Poteet will convene into closed door executive session to discuss matters authorized by

1. Closed Session pursuant to; Texas Government Code Ann. Sec 551.071 Consultation with Attorney

A. Lawsuit: Antonia Navarro VS The City of Poteet

2. The City Council of the City of Poteet will reconvene into open session to consider and take appropriate action on the closed session items.

At this time the City Council convened into closed executive session to discuss matter authorized by Texas Government Code Ann. Sec 551.071 Consultation with the attorney regarding a Lawsuit Anotnia Navarro VS The City of Poteet at 8:16 PM. The City Council reconvened back into open session at 8:38 PM with no action taken.

VIII. BOARDS / COMMISSIONS REPORTS

- A. Library Advisory Board
- B. Planning & Zoning Commission

VII. COUNCIL COMMENTS

- A. Councilmember Nicholas Sanchez
- B. Councilmember Denise Sanchez
- C. Councilmember Rick T. Flores Sr.
- D. Councilmember Richard Castillon
- E. Councilmember Jesse Leal
- F. Mayor Willie Leal Jr.

All members said thank you for coming.

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VIII. ADJOURNMENT

Time: 8:45 P.M.

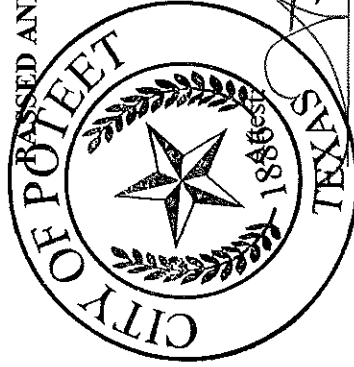
Motion Nicholas Sanchez 2nd Rick Castillon

For	Against	Abstain	
X			Mayor Pro Tem Nicholas Sanchez
X			Councilmember Denise Sanchez
X			Councilmember Rick T. Flores Sr.
X			Councilmember Richard Castillon
X			Councilmember Jesse Leal
			Mayor Willie Leal JR (Present but not voting)
Absent			

Mayor Pro Tem N. Sanchez made a motion to adjourn the meeting. Councilman R. Castillon 2nd the motion. Vote taken, motion carried. 5-0-0.

Meeting Adjourned 8:45 P.M.

All Meetings are preserved in an electronic and hard copy format. Copies are available with an open request after the minutes have been approved by the council.



PASSED AND APPROVED THIS 3rd day of September, 2019.

[Handwritten Signature]
 Willie Leal Jr., Mayor

[Handwritten Signature]
 Abigayle Frautschi, City Secretary

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