

CITY OF PALACIOS, TEXAS
REGULAR CITY COUNCIL MEETING

MINUTES

JUNE 9, 2022

REGULAR CITY COUNCIL MEETING

A Regular City Council meeting was held by the City Council of the City of Palacios on June 9, 2022, at 6:00 p.m., in the Council Chamber, 311 Henderson, Palacios, Texas 77465.

PUBLIC HEARINGS

1. **NOTICE IS HEREBY GIVEN** pursuant to Chapter 214, of the Texas Local Government Code, that a hearing before the Board of Adjustments of the City of Palacios, Texas, shall be held on June 9, 2022, at 6:00PM, in the Council Chambers at 311 Henderson Ave., Palacios, Texas, concerning violations of Article 3.08 of the Code of Ordinances, City of Palacios, Texas. Notices of violation(s) have been issued to the property owners and to the Board of Adjustments.

Ron Laws, Chairperson, started the public hearing at 6:00PM for the Board of Adjustments. He read the address of each property being discussed regarding code violations in the City of Palacios. He stated the City was willing to work with the property owners if they came forward to work with the City. This is the first of two public hearings regarding these properties (List attached). There were no public comments, so the meeting was closed at 6:04PM.

2. **NOTICE IS HEREBY GIVEN** the City of Palacios Planning and Zoning Commission wish to conduct the second and final public hearing to receive citizen's comments regarding the rezoning of the property located at 1120 Rorem Street and 1112 Rorem Street, both from commercial designation to residential designation. The first hearing was held at 5:45PM on April 28, 2022, at the Palacios City Council Chamber. This hearing shall be held after Public Hearing item No. one (1) concludes.

DC Dunham, Palacios Zoning and Planning Commission Chairperson, started the public hearing at 6:05PM in reference to the two properties on Rorem. The Planning and Zoning Commission approved the redesignation of these properties from commercial to residential. This is the second and final hearing regarding the redesignations. There were no public comments nor participation from the public in reference to the properties. The hearing was closed at 6:06PM

CALL TO ORDER

Mayor Gardner called the Regular meeting to order at 6:30PM.

CERTIFICATION OF A QUORUM

Mayor Gardner certified a quorum was present.

ATTENDANCE ROLL CALL

Mayor, Jim Gardner, Present

Councilmember Place 6, Michael Dotson, Present

Councilmember Place 5, Raylyn Samora, Present

Councilmember, Place 4, Troy Lewis, Present

Councilmember Place 3, Chip Woolf, Present

Councilmember, Place 2, Sharon Trainor, Present

Councilmember Place 1, Larry Glenn, Present

Staff in Attendance:

City Manager, Cynthia Raleigh

City Attorney, Anne Marie Odefey & Attorney, Thomas Gwosdz

City Finance Manager, Tammy McDonald

Police Chief, Tobie Bias

Public Works Director, Darrell Robbins

Solid Waste Coordinator, Peggy Georgi

Administrative Assistant, Aleigha Galvan

City Secretary, David Holubec

INVOCATION & PLEDGES

Mayor Gardner recognized Councilmember Samora who led the Council, Staff, and Citizens in prayer and pledges to the U.S., Texas, and Palacios Flags.

VISITOR / CITIZEN FORUM

- 1. Dawn D. & Dawn Z. Blyth – Spoke to council about a property owned on Ruthven. They are requesting an address be assigned. They are also having access issues.*
- 2. C. Murphy – Discussed the Palacios City Pool and its possible use “as is.” She is opposed to a major renovation. The pool is needed now for the “Wellness” organizations that have used the pool in the past and for swimming lessons for children.*
- 3. Margaret Doughty – Spoke of the importance of the Palacios Swimming Pool and the community and the need for a new year-round pool someday for Palacios.*

PRESENTATION ITEMS

- 1. Presentation regarding the Rachal Foundation*

Paul Altheide, the CEO of the Rachal Foundation, addressed Council and citizens regarding the purpose of the Rachal Foundation and what it’s accomplishing in Palacios, Texas.

- (a) Purchased Gold Coast Marina – for oyster farming/harvesting. Creating jobs in the area.*
- (b) Negotiating the possible purchase of the Luther Hotel site for renovation/building of hotel and restaurant.*

2. YMCA Presentation

YMCA Representative, Michele Morales, spoke about the YMCA and what the organization does to assist a community. She is with the Calhoun County YMCA, where they focus on childcare, sports and learning programs for children. The desire of the YMCA is to strengthen a community by working with other agencies within the community. A survey was created for citizens to indicate areas of priority within the Palacios Community. A Steering Committee meeting was announced for 10AM on June 10, 2022, at City Hall.

3. Development Codes – Gunda Presentation

Representatives from the Gunda Company, presented a PowerPoint presentation outlining various ways they can assist with development codes within the City. They are seeking input from Council regarding proactive codes for a high quality of life in Palacios. A questionnaire was shared with Council to prioritize. Gunda will use this information to move forward in their quest to assist the City of Palacios with development codes.

4. Palacios Municipal Court Quarterly Report.

Judge Robert Garrett outlined his quarterly data from the Palacios Municipal Court. Numbers were lower due to software issues that have been corrected.

5. City Manager’s Report.

Cynthia Raleigh, City Manager, discussed the following points with Palacios citizens and Council members:

- (a) She and her family are officially property owners in Palacios.*
- (b) Street signs have been ordered*
- (c) Sign for the library*
- (d) Tractor and backhoe have been ordered*
- (e) Work on ditches progresses*
- (f) Grants are in the works*
- (g) The 2022 – 2023 Fiscal Year Budget is being development within the City and with Council*
- (h) Requested item #16 be removed from the agenda. The City is acknowledging these committees only and appreciate the efforts of volunteers.*
- (i) YMCA meeting – June 10th, 2022, 10AM.*
- (j) Next Council Budget Workshop – June 16, 2022, 6PM.*

(k) *Thanked the Linton Group for sponsoring “Family Movie Night” in the Railroad Park on scheduled Friday nights this summer.*

EXECUTIVE / CLOSED SESSION

6. Executive Session as authorized by Tex.Gov't Code §551.072 to deliberate the purchase, exchange, lease or value of real property if deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. Pursuant to Texas Government Code, Section 551.071(2) to confer with its attorney regarding matters covered by the attorney/client privilege and personnel matters: Pursuant to Texas Government Code §551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, including members of boards appointed by City Council.

Mayor Gardner announced closed session at 7:52PM.

RECONVENE TO OPEN / REGULAR SESSION

7. City Council shall reconvene in Open Session and may discuss, consider, and take action on any item listed above that was considered and discussed in Executive/Closed Session (If necessary).

The meeting was reconvened by Mayor Gardner at 8:40PM.

DISCUSSION AND ACTION ITEMS

8. **Future Economic Development Plan** ~ Discuss, consider, and/or take possible action on vision and plan for future economic development, including the City of Palacios and its partners.

A Resolution (2022-R-19) was read by City Secretary, David Holubec removing current Palacios Economic Development Corporation board members and replacing them with new board members. Mayor Jim Gardner, Councilmember Michael Dotson, Councilmember Chip Wolf, and City Manager Cynthia Raleigh. Three other board members shall be chosen from qualifying citizen applicants. After discussion, the Resolution was passed by motion. Motion: Dotson / Lewis. Unanimous. There were no other items discussed in Closed Session at this meeting due to time.

9. **FEMA Grant Application** ~ Discuss, consider, and/or take possible action on a FEMA Grant application.

Tammy McDonald, Finance Manager, outlined the COVID – 19 FEMA grant that is available. She is seeking permission to file for the grant that will assist in reimbursing the

City for things relating to hardships due to the epidemic. Councilmember Dotson asked if City funds would have to be used to first purchase the needed requests before reimbursement comes from the grant. McDonald said, yes, however, nothing would be ordered if it will not be covered by the grant funds. After discussion, permission was granted, by motion, to apply for the grant. Motion: Woolf / Glenn. Unanimous.

10. Palacios Swimming Pool ~ Discuss, consider, and/or take possible action on a swimming pool restoration project cost estimate.

Cynthia Raleigh, City Manager, presented information gleaned from the Pool inspection performed by Professional Commercial Aquatics (proaquatic.com). Areas of concern included: leak detection, replastering, drains, pump room leak, pump, toe tile. Rough estimate was \$265K - \$400/\$500K. Councilmember Dotson stressed his point that the swimming pool should not be a part of the Palacios ISD property swap with the developer who owns the new school complex property. Councilmember Woolf suggested City transportation of citizens could possibly be considered for transfer to other area pools. Mayor Gardner asked if the pool could be opened "as is" if the diving board and slide were removed. City Attorney, Anne Marie Odefey, recommended the Council request an inspection of the pool from the County Health Dept. After further discussion it was decided, by motion, to have the pool evaluated by the Health Dept. Motion: Glenn / Dotson. Unanimous.

11. UPDATE – 6th Street Restrooms & Ballpark Upgrade Project ~ Discuss, consider, and/or take possible action on the upgrade project after hearing the status update.

Cynthia Raleigh, City Manager, informed Council an ADA compliant, four restroom unit had been ordered for the ballpark. Including delivery, the unit will cost \$163,700. The utilities will be installed by the City. A sewer grinding pump will be necessary, at a cost of about \$10,000. Plumbing and electrical will cost about \$10,000. The remaining funds from this project, roughly \$116,000, were requested to be used on other areas of the park and other areas. A motion was made to use the remaining funds in this manner. Motion: Glenn / Samora. Unanimous.

12. Variance Request ~ Discuss, consider, and/or take possible action on a variance request for the placement of an RV within the city limits.

*Cynthia Raleigh, City Manager, introduced this agenda item from the Planning and Zoning Commission. The Commission met in May and heard the variance request of citizen, Scott Nguyen regarding the placement of a recreational vehicle (RV) on his property and the City Ordinance (**Ordinance #2017-O-03**) forbidding citizens from living in an RV outside of an RV Park. The Planning and Zoning Commission voted to uphold the Ordinance. Mr. Nguyen has requested a variance from the Ordinance from Council.*

City Manager Raleigh stated the City staff recommends upholding the Ordinance as well. After much discussion, it was decided, by motion, to grant a temporary variance to Mr. Nguyen until January 2023. This will give the City Code Enforcement department an opportunity to evaluate other violators within the City regarding this Ordinance. This was done to be fair to Mr. Nguyen.

- 13. Inter-Local Agreement – Prisoner Agreement** ~ Discuss, consider, and /or take possible action on an Inter-Local Agreement between the City of Palacios and Matagorda County for prisoner services with Matagorda County Jail.

Tobie Bias, Police Chief, presented the agreement, which has been worked out with the Matagorda County Sheriff's Department. This agreement will involve Class "C" misdemeanor charges and will cost \$45 daily, per inmate. After discussion, the agreement was approved as written, by motion. Motion: Glenn / Dotson. Unanimous.

- 14. 911 Dispatch Services Inter-Local Agreement** ~ Discuss, consider, and /or take possible action on an Inter-Local Agreement between the City of Palacios and Matagorda County for 911 dispatch services.

Tobie Bias, Police Chief, presented the agreement with Matagorda County for emergency dispatch services. This agreement will be an increase in safety for officers and will be a cost savings to the City. After discussion, the agreement was approved as written, by motion. Motion: Dotson / Trainor. Unanimous. Councilmember Glenn asked that, in the future, he would like to see agreements presented to Council before they were put into place. Council members Samora and Dotson verbally concurred.

- 15. RESOLUTION #2022-R-17** ~ Discuss, consider, and/or take possible action, acknowledging the Alliance for the Arts Commission (Formerly known as the Creativity for Change Commission), Community Swimming Pool Committee, Make Palacios Shine Committee, and Events and Festivals Committee. David Holubec, City Secretary

Removed from the agenda at the request of City Manager Raleigh.

- 16. ORDINANCE #2022-O-07** ~ Discuss, consider, and/or take possible action on an Ordinance for an Ambulatory Care Service Provider. (*Second & Final Reading*). David Holubec, City Secretary.

Cynthia Raleigh, City Manager, read the ordinance description for the second and final reading. The Ordinance was approved by motion. Motion: Dotson / Samora. Unanimous.

CONSENT AGENDA ITEMS

Discuss and consider action approving the following consent agenda items:

17. Minutes from the Regular City Council Meeting on May 19, 2022. David Holubec, City Secretary

18. Minutes from the Special City Council Budget Workshop on May 26, 2022. David Holubec, City Secretary

The minutes from May 19, 2022 and May 26, 2022 were approved by motion. Motion: Mayor Gardner / Mayor Pro Tem Lewis. Unanimous.

ADJOURNMENT

Adjourned by Mayor Gardner at 9:32PM.

Jim Gardner, MAYOR

ATTEST:

David Holubec, CITY SECRETARY