

Minutes
Regular Meeting
September 17, 2019

On this 17th day of September, 2019, at 6:00 p.m., the City Council of the City of Devine convened in a Regular Meeting; the same being opened to the public at their at their regular meeting lace thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. Notice of said Meeting having been prescribed in Chapter 551, Government Code, and Vernon's Texas Codes, Annotated, and the following members being present:

Mayor Cory Thompson
Alderman Steve A. Lopez
Alderman David Valdez
Alderman David Espinosa
Alderwoman Jennifer Schott

Thus, constituting a quorum.

Personnel present: Dora V. Rodriguez, Interim City Administrator/City Secretary; Denise Duffy, City Accountant; Tom Cate, City Attorney; Ismael Carrillo, Director of Public Works; Ruben Chapa, Superintendent of Golf Course; Vickie Pumphrey, Airport Manager; and Ofilia Pedroza, UB Clerk.

Others present: Marly Davis, Devine News; Mike Ratchman, Golf Insider; Tom Scott; Shannon Rangel; Angela O. Pichardo; Doug & Donna Trott; Domingo & Odelia Gonzales; Mary Herrera; Alma P. Keen; Debbie Randall; George Valdemar; Eva Thompson; Leslie Vail; Greg Boyd; Christy Williamson; Cynthia Chalaire; Al Gray and Suzy Manning of Devine, Texas.

Mayor Thompson, presiding, called the meeting to order.

Mayor Thompson delivered the Invocation and Alderman David Espinosa led the Pledge of Allegiance.

The first order of business was the Visitors/Citizens Forum.

No one signed up to speak under this item.

The second order of business was Recognition.

There was no recognition at this time.

The third order of business was a Public Hearing on the Proposed Tax Rate for FY 2019-2020.

At 6:02 p.m., Mayor Thompson announced that the Public Hearing was open to the public.

At 6:03 p.m., hearing no comments from the public, Mayor Thompson closed the Public Hearing to the public.

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The fourth order of business was to discuss and consider Approval of Minutes: Regular Council Meeting Minutes, June 25, 2019; Regular Council Meeting Minutes, July 16, 2019; Special Council Meeting Minutes, July 29, 2019; Special Council Meeting Minutes, August 6, 2019; Regular Council Meeting Minutes, August 20, 2019; Special Council Meeting Minutes, August 27, 2019; Special Council Meeting Minutes, September 3, 2019; Special Council Meeting Minutes, September 10, 2019; and Special Council Meeting Minutes, September 12, 2019.

Interim City Administrator/City Secretary Dora V. Rodriguez announced that the minutes for September 10, 2019 and September 12, 2019 were not available yet for approval.

Mayor Thompson announced that the minutes for Special Council Meeting, August 27, 2019, had the wrong meeting location at the top of the page, so that needed to be corrected. He also noted that Page 3 of the Special Meeting Minutes for September 3, 2019, only had comments made by Alderman Lopez and was lacking comments made by Alderwoman Schott and others in regards to their ideas on the golf course, so those comments needed to be added as well. Interim City Administrator/City Secretary Dora V. Rodriguez stated that this will be corrected.

Motion by Alderman Lopez, seconded by Alderwoman Schott to approve all the minutes available with corrections noted, except for September 10, 2019 and September 12, 2019.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The fifth order of business was to discuss and consider Annual Report and PILOT check from the Devine Housing Authority.

Mayor Thompson read Annual Report letter from Aileen Montgomery, Housing Authority Director, indicating they received a score of 100. The City received a PILOT check from the Housing Authority for \$4,680 for Payment in Lieu of Taxes.

Motion by Alderman Espinosa, seconded by Alderman Lopez to accept the Annual Report and PILOT check in the amount of \$4,680, from the Devine Housing Authority.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The sixth order of business was to discuss and consider request from St. Joseph Catholic Church for a noise variance for their Octoberfest on October 5, 2019, from 8:00 p.m. until 12:00 midnight.

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Motion by Alderman Espinosa, seconded by Alderman Lopez to approve request from St. Joseph Catholic Church for a noise variance for their Octoberfest on October 5, 2019, from 8:00 p.m. until 12:00 midnight.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The seventh order of business was to discuss and consider request from St. Joseph Catholic Church to the Devine Police Department for street closures for the St. Joseph Octoberfest on October 5, 2019.

Motion by Alderwoman Schott, seconded by Alderman Espinosa to approve request from St. Joseph Catholic Church to the Devine Police Department for street closures for the St. Joseph Octoberfest on October 5, 2019.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The eighth order of business was to discuss and consider for Council to approve the 2020 Routine Airport Maintenance Program (RAMP) Grant.

City Attorney Tom Cate stated that this grant is for improvements at the Airport. We do this every year, and it is for \$100,000. According to City Attorney Tom Cate, this is planned to be used for the Fuel Farm at the Airport.

Motion by Alderman Espinosa, seconded by Alderman Lopez to approve the 2020 Routine Airport Maintenance Program (RAMP) Grant.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The ninth order of business was to discuss and consider for Council to place their vote for the Medina Electric Cooperative, Inc. 2019 Director Election.

Council reviewed the biographies of the three candidates, and held discussion on not knowing who these candidates are. All three candidates were unopposed in each of their districts. City Attorney Tom Cate told Council that these are three different people running for three different districts. He advised that they could vote for all of them or none of them.

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Motion by Alderwoman Schott, seconded by Alderman Espinosa to place their votes for all three Medina Electric Cooperative, Inc. candidates for the 2019 Director Election.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The tenth order of business was to discuss and consider re-appointments for the Devine Housing Authority Board.

Interim City Administrator/City Secretary Dora V. Rodriguez announced that the two candidates up for re-appointment were Maria Stanley and Jim Lawler.

Motion by Alderman Espinosa, seconded by Alderman Lopez, to approve the re-appointment of Maria Stanley and Jim Lawler for the Devine Housing Authority Board.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The eleventh order of business was to discuss and consider Adopting a Resolution nominating a Candidate for the election of Medina County Appraisal District Board of Directors for the Year 2020-2021.

Council held discussion with Marly Davis.

Motion by Alderman Espinosa, seconded by Alderwoman Schott to adopt Resolution 9-19 nominating Roy Sheetz as candidate for the election of Medina County Appraisal District Board of Directors for the Year 2020-2021.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The twelfth order of business was to discuss and consider approval of the Planning & Zoning Minutes held on April 8, 2019 and Planning & Zoning Minutes held on August 22, 2019.

Council reviewed minutes.

Motion by Alderman Espinosa, seconded by Alderman Valdez to approve the Planning & Zoning Minutes held on April 8, 2019 and Planning & Zoning Minutes held on August 22, 2019.

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Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The thirteenth order of business was to discuss and consider Golf Course:

- a. Advertising with the Golf Insider for the Winter Issue
- b. Advertising with local newspapers
- c. New daily green fees

Mr. Mike Ratchman from the Golf Insider addressed Council. He told Council that the last time he was here, the greens were in bad shape and not in a condition to advertise the golf course. He said he came down again at the request of Superintendent of Devine Municipal Golf Course Ruben Chapa, and said that he was very surprised at how good the greens look; the fairways and the trees look good. He said Ruben's done a good job at keeping the schedule which the USGA recommended; he said our money has been well spent. He told Council that he was very impressed that at least now we can take some photos for advertising, and said that by November, it should be in good shape.

Mr. Ratchman told Council that he feels the course is ready for advertising, with good photography. He suggested a marketing plan and starting off advertising with a one-half page in the Golf Insider Magazine and doing some local advertising. Discussion was held on advertising prices, and Mr. Ratchman spoke of putting together a new proposal for us. He told Council the magazine goes to print on October 14, 2019, so he would need something before then.

Council held discussion on advertising and amending the new budget.

Council heard comments from some of the citizens; namely:

- George Valdemar
- Angela Pichardo

Alderman Espinosa commented that he is all for seeing advertisements on promoting the golf course.

Alderman Lopez felt that this will help Superintendent of Devine Municipal Golf Course Ruben Chapa a lot because he is going such a great job.

Alderwoman Schott stated that she wants to advertise but is uncomfortable with moving forward because she thought we had decided to work with someone on this, and she doesn't feel that this is being proactively looked into. She stated that since the last meeting, she feels that there could've been some diligent work done in reaching out to Scott Grego in starting out the process. She said

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Council voted on working on the legalities of Scott possibly leasing this from the City, and that wasn't done.

City Attorney Tom Cate disagreed and stated that we made some inquiries. He stated that Interim City Administrator/City Secretary Dora V. Rodriguez has contacted our auditor concerning the financial aspect of the transaction, and she's contacted our financial advisors to talk about the financial impact of the transaction.

According to Interim City Administrator/City Secretary Dora V. Rodriguez, she was under the understanding that the motion at the last meeting stated to continue further discussion with Scott Grego and to include the Parks & Recreation Advisory Board to get involved in making a recommendation to Council.

Council heard from Debbie Randall about some miscommunication and she expressed Scott's concern.

Discussion was held between Interim City Administrator/City Secretary Dora V. Rodriguez, Alderwoman Schott and Debbie Randall over their concerns and due diligence.

City Attorney Tom Cate explained that this is what we are doing right now; we are contacting our financial advisors, and there is nothing we can do until we hear from Scott.

City Attorney Tom Cate and Interim City Administrator/City Secretary Dora V. Rodriguez both apologized for the miscommunication but explained that things are getting done, and they just want to make sure things are being done right.

Alderman Espinosa inquired if Scott would be offended if we were to proceed with advertising and promoting the golf course. Debbie Randall stated that she didn't think that Scott would be upset with advertising.

Council heard more comments from:

- Christy Williamson
- Leslie Vail
- Cynthia Chalaire
- Greg Boyd
- Angela Pichardo
- Marly Davis

Many of these speakers talked about advertising locally instead. Others stated that the golf course still belongs to the City so the City should make the decision and we should consider letting Ruben do his job.

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Mr. Ratchman informed Council that if we're managing or leasing, that is usually put into the proposal, but that person would pick up the tab, instead of the City paying for it. He said this has happened to him before many times where someone else takes over the contract.

When asked about a timeline, City Attorney Tom Cate stated that we need to wait because there are too many moving parts at this time. He said that once we hear from our financial people, we will have a better idea of where we're going and how we need to proceed.

Motion by Alderwoman Schott, seconded by Alderman Espinosa to table this item.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The fourteenth order of business was to discuss and consider approving the Minutes of the Parks and Recreation Advisory Board Meeting held on September 4, 2019.

Mayor Thompson advised that these minutes were not ready for Council's approval.

Motion by Alderwoman Schott, seconded by Alderman Espinosa to table approving the Minutes of the Parks & Recreation Advisory Board Meeting held on September 4, 2019.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The fifteenth order of business was to discuss and consider Appointing/Interviewing a person for the District #5 vacant seat.

Mayor Thompson opened the floor for comments from the public.

Council heard from Donna Trott who expressed her resentment towards Council undermining Mayor Thompson's integrity and his recommendation. She stated she doesn't understand why we want a special election. She spoke of trusting Mayor Thompson's judgment and whoever he recommends.

Mayor Thompson explained that if we were to move forward with the appointment, it would be good only until May, 2020; and, if we go with the Special Election on November 5, 2019, the term would fulfill all the way to the next term when it expires on May, 2021.

Council also heard from:

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- Cynthia Chalaire
- Odelia Gonzales
- Leslie Vail
- Eva Thompson
- George Valdemar
- Debbie Randall
- Angela Pichardo

At 7:30 p.m., Alderwoman Schott excused herself from the meeting.

Eva Thompson expressed her anger towards Council and wanted to know what it was about Mayor Thompson's procedure that they did not like. Many of the above speakers protested against Council in anger.

At 7:36 p.m., Alderwoman Schott returned to the meeting.

Comments were also heard from:

- Mary Herrera
- Shannon Rangel

Alderman Espinosa spoke of taking the responsibility for wanting more candidates. He talked of receiving many phone calls (for and against) Debbie Randall and George Valdemar. He stated that his objection was not with Mayor Thompson's recommendation but rather with the process; he just felt that Mr. Valdemar just needed an equal opportunity, as well as anyone else in District 5 who felt they had an interest. With that being said, he made the following motion:

Motion by Alderman Espinosa, seconded by Alderwoman Schott to appoint Debbie Randall as the new Councilperson to the District 5 seat.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

The sixteenth order of business was to administer the Oath of Office to Debbie Randall.

City Attorney Tom Cate administered the Oath of Office to Debbie Randall.

The seventeenth order of business was to discuss and consider Ordering a Special Election for Vacant Seat in District #5.

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No action was taken.

The eighteenth order of business was Informational Items.

The following was discussed:

- Water Lines – Interim City Administrator/City Secretary Dora V. Rodriguez announced that she emailed City Engineer Raul Garcia, Judy Langford and City Attorney Tom Cate all together, and they are working on dates so they can come before Council to give an update and explain why the process is taking so long.
- St. Joseph's 5K Run – Mayor Thompson read a letter from St. Joseph Church stating that the 5K is being postponed for a later date due to too many conflicts at this time, so no street closures will be needed for the 5K Run.
- Code Compliance Letters – Alderman Lopez mentioned he's been receiving a lot complaints from customers receiving letters for unsightly properties. Alderwoman Schott told Council they could all help the Code Compliance Department by policing their own districts and then turn in a list of addresses to the City Administrator so Code Compliance can follow up. Interim City Administrator/City Secretary Dora V. Rodriguez explained in detail the process we go through for unsightly property and for junked vehicles, and explained what Code Compliance has to do. City Attorney Tom Cate explained the fines.
- Recycling – Mayor Thompson explained that with the former waste company (ACI), it was never on the contract for them to pick up recycling, it was done as a courtesy; just an extra perk that they did. When Republic took over, they went by the contract as it was written, which did not include the recycling.
- Meeting – Our next meeting will be Saturday, September 21, 2019 at 8:30 a.m.

The nineteenth order of business was the Budget Workshop.

Mayor Thompson and Interim City Administrator/City Secretary Dora V. Rodriguez discussed the Budget.

Lengthy discussion was held on approving the 2.5% COLA for the employees. Alderwoman Schott expressed concern over how this appears to the public. For example, here we are spending all this money on one line item with a huge deficit, and then we're also giving a 2.5% raise. She doesn't think that looks very well. The final consensus was to move forward with the 2.5% COLA for the employees across the board.

Interim City Administrator/City Secretary Dora V. Rodriguez went over all the departments and different funds with Council. She also informed Council they will have a special meeting on September 21, 2019 to adopt the budget.

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There being no further business to come before the governing body, motion made by Alderwoman Randall, seconded by Alderman Espinosa to adjourn the meeting.

Ayes	--	Four (With 1 Vacancy in District 5)
Nays	--	None

Motion carried.

Mayor

City Secretary