

City of Ingleside  
Minutes  
Regular City Council Meeting  
Tuesday, September 14, 2021  
6:30 PM

1. Call Meeting to order

The Regular City Council Meeting on September 14, 2021 was called to order at 6:30 p.m., with Mayor Pro tem John Schack presiding

2. Roll Call

Council Members present: Council Member Diehl, Council Member Wilson, Council Member Tucker, Council Member Pruitt, Council Member Salinas via Zoom Meeting, and Mayor Pro tem Schack. There were approximately ten (10) city staff members and ten (10) guests in attendance.

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Howard Gillespie, San Patricio County Commissioner, Precinct No. 4, commented when he was at the last Regular City Council Meeting two weeks ago, it was implied he only came to City Council Meetings when asking for money, and passed out an Interlocal Agreement from 2018, and described other instances where he has participated at City Council Meetings.

Barbara Gregg, Executive Director of Ingleside Chamber of Commerce, passed out invitations for the Chamber of Commerce Annual Installation Ceremony, for October 9, 2021.

Mayor Pro tem Schack, wished Council Member Wilson a happy 75th birthday.

**Presentations:**

6. Presentation by TxDOT regarding an update on State Highway 200.

Robert Issassi, Area Engineer of the Sinton office for TxDOT, commented the State Highway 200 project has gone through environmental review and public involvement, and is currently in the ROW acquisition process, with initial offers made to property owners. Several property owners are getting their own appraisals. Negotiations are anticipated to be complete in November or December of 2021. TxDOT is in the process of refreshing plans, and scheduled to go to bid in August 2022, which could be sooner. The project includes \$4 million being provided by the city, and would need to be executed prior to the bid date, which would be February-March 2022. This project is anticipated to take twelve months to construct, with construction to be started October 2022.

Council Member Diehl, inquired if anyone with TxDOT had watched any of the City Council Meetings. Paula Sales Evans and Michelle Khatib of TxDOT, commented they had attended meetings in the past. Council Member Diehl, commented that the \$4 million would need to be paid prior to the bid, and the city would be obligated, which was confirmed by Paula Sales Evans of TxDOT. Council Member Diehl, commented the project must be completed for the grant, by September 28, 2023. Council Member Diehl, commented some citizens have said they will not benefit by State Highway 200. Council Member Diehl, commented if Ingleside could not get a grant extension, would TxDOT still build State Highway 200. Council Member Diehl, commented that the City Manager, Linnette Barker, confirmed that there is no guarantee that an extension will be granted in regards to the grant. Paula Sales Evans, commented there was some coordination regarding the city receiving a grant from TxDOT regarding the paperwork might work, but not actively involved. Paula Sales Evans commented there were some changes regarding potential development that put the project in a hiatus. Council Member Diehl, inquired if any modifications were made to the plan regarding heavy haul. Paula Sales Evans, heard rumors regarding heavy haul, would have tripled the cost of the project. The last she heard, pre-pandemic, was the rumor of heavy haul was put to rest, with the project back to its original form. Council Member Diehl, inquired if the closed-door discussions regarding heavy haul, slowed down the project. Paula Sales Evans, commented it slowed down the decision if the city was going to pursue the right of way acquisitions. Council Member Diehl, commented the project was in three phases, not to proceed to the next phase until one phase is completed.

Council Member Diehl, inquired how much power can TxDOT give regarding the grant extension. Paula Sales Evans, commented TxDOT doesn't have direct relationships with EDA, but would work with the city any way they could. Michele Goerke, of GrantWorks, commented that EDA does not give many grant extensions. Council Member Diehl, commented he would not put \$4 million at risks for the citizens, and talked to approximately 30 citizens regarding this project. Council Member Diehl, inquired if TxDOT would complete the project without Ingleside input. Paula Sales Evans, commented the project would be delayed in the absence of local contribution. Council Member Diehl, inquired once the project is completed, who is responsible for the maintenance. Paula Sales Evans, commented TxDOT would be responsible for maintenance.

Council Member Tucker, commented that 30 people out of 9,900 is a small number. Council Member Tucker, commented that when State Highway 200 is complete, there will be industry built to generate taxes for the city. Council Member Diehl, inquired if Council Member Tucker was willing to gamble \$4 million of the citizens money. Mayor Pro tem Schack, commented he would not use the word gamble, commercial development will come, and he is willing to invest in State Highway 200, asked TxDOT to work with GrantWorks, as people do listen to TxDOT. Council Member Diehl, inquired of Mayor Pro tem Schack, if the city does not get the grant extension, where will the money come from. City Manager, Linnette Barker, commented the city has \$4 million set aside for the project, anticipating reimbursement by the grant. Council Member Salinas, commented it would add road front, generating taxes, and a worthy investment. City Manager, Linnette Barker, commented we should hold off as long as we can to ask for a grant extension for a better timeline. Michele Goerke of GrantWorks confirmed this. Paula Sales Evans, of TxDOT, commented regarding the agreement with TxDOT, TxDOT would be coming to the city in February-March 2022.

Council Member Diehl, commented to not bank on the grant extension, and asked for TxDOT's help in anything that could be expedited, and appreciated the meeting.

Oscar Adame, 2747 Avenue E, made a citizen comment regarding money that was put aside for State Highway 200.

City Manager, Linnette Barker, commented there is \$4 million, sitting in the grant fund allocated for this project.

**Consent Agenda:**

N/A

**Public Hearing:**

7. A Public Hearing regarding an application filed by Felix N. Turnbough to rezone the hereinafter described property from its present classification of R-1 (Single Family Residential) & C-2 (General Commercial) to C-2 (General Commercial): Property ID# 65203 2.31 acres out of ABST 185 W.M. McDonough Subdivision, Ingleside, Texas.

Mayor Pro tem Schack, closed the Regular City Council Meeting to proceed to the Public Hearing at 7:25 p.m.

Trey Turnbough, spoke in favor of the Public Hearing.

No one spoke against the Public Hearing

Mayor Pro tem Schack, closed the Public Hearing for item 7 at 7:25 p.m. and reopened the Public Hearing for item 8 at 7:25 p.m.

8. A Public Hearing for the City of Ingleside proposed tax rate for 2021.

No one spoke in favor or against the Public Hearing.

Mayor Pro tem Schack, closed the Public Hearing at 7:25 p.m. and reopen the Public Hearing for item 9 at 7:26 p.m.

9. A Public Hearing for the City of Ingleside and the Ingleside Development Corporation Budget 2021/2022.

No one spoke in favor or against the Public Hearing. Mayor Pro tem Schack, closed the Public Hearing at 7:26 p.m.

**Action Items:**

10. Discussion, consideration, and action of an Ordinance, to rezone the hereinafter described real property from its present classification of R-1 (Single Family Residential) & C-2 (General

Commercial) to C-2 (General Commercial); Property ID# 65203, 2.31 acres out of ABST 185 W. M. McDonough Subdivision Ingleside, Texas. (First Reading)

Council Member Wilson, made a motion, seconded by Council Member Tucker, to pass Ordinance 2021-16 to the second reading. Council Member Diehl, inquired the decision of Planning and Zoning, and if it complies with all land use maps. Cassie Bell, of the Building Department, confirmed it was a unanimous vote in favor from Planning and Zoning, and it complied with future land use maps. The motion passed unanimously to the second reading.

11. Discussion, consideration, and action to approve water service by the City of Ingleside, Texas to 3792 FM 1069, Aransas Pass, Texas.

City Manager, Linnette Barker, commented the request was made by the property owner, and the property owner will pay the costs to run the water line approximately 1700 feet.

Nestor Angel, property owner, commented he would pay up front for the installation of the 2' water line, and it was in a TxDOT Right of Way, and it had been approved by TxDOT, and he was ready to pay all expenses, including installation and impact fees. Mayor Pro tem Schack, confirmed he would be paying impact fees, and inquired why not tie into the adjacent RV park water line. Nestor Angel, commented he was told the RV park could lose water pressure, and this would be for a new sports bar/restaurant. Council Member Pruitt, commented to go with a bigger water line. Council Member Diehl, commented if anyone tied in to this line in the future, you would have to get permission from TxDOT. Council Member Diehl, requested the City Manager to ask the City of Aransas Pass, if they have any annexation plans for the area. Council Member Salinas, commented to stick with what TxDOT approved.

Council Member Diehl, made a motion, seconded by Council Member Pruitt, to approve the request, with the modification from a 2-inch to 6-inch water line, at the city's expense, assuming it meets all city criteria. The motion passed unanimously.

Cindy Wilson, 2635 San Angelo, made a citizen comment regarding the proposed tax rate.

12. Discussion, consideration, and action regarding SH 200 EDA Funded Project.

Mayor Pro tem Schack, made a motion, seconded by Council Member Wilson, delay taking any action or asking for an extension of the EDA grant regarding State Highway 200 until February 2022. The motion passed unanimously.

14. Discussion, consideration, and action of an Ordinance, authorizing the issuance of "City of Ingleside, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021" and other matters incident and related thereto. (Single Reading)

Andrew Friedman, of SAMCO Capital Markets, presented the proposed adoption of the Ordinance, with the Baker Group at 1.67% offering the lowest interest rate.

Council Member Diehl, commented what Andrew Friedman forecasted in the future interest rates. Andrew Friedman, of SAMCO Capital Markets, commented he had been wrong for ten years.

Council Member Salinas, inquired what effect this would have on homeowners, and when will the money be available. Andrew Friedman, of SAMCO Capital Markets, commented the money would be delivered to the city on October 13, 2021, and the impact on the homeowner referring to the tax rate will remain the same. City Manager, Linnette Barker, commented the money will be used to redo Faith Park, the animal control facility, the sub-station, and the brush truck for the Fire Department.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve Ordinance 2021-18, authorizing the issuance of "City of Ingleside, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021" and other matters incident and related thereto. The motion passed unanimously.

13. Discussion, consideration, and action of an Ordinance, providing for the levy of taxes for the year 2021 on all real and personal property within the Corporate Limits of the City of Ingleside, Texas; and appropriating monies for the payment of expenditures for the maintenance and upkeep of the City of Ingleside, and for other purposes. (Single Reading)

Mayor Pro tem Schack, commented the proposed tax rate .006 per 100, and inquired what the rate was for last year. It was confirmed by Finance Director, Dawn Tarr, that is remaining the same.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve Ordinance 2021-17, providing for the levy of taxes for the year 2021 on all real and personal property within the Corporate Limits of the City of Ingleside, Texas; and appropriating monies for the payment of expenditures for the maintenance and upkeep of the City of Ingleside, and for other purposes. The motion passed unanimously.

15. Discussion, consideration, and action of an Ordinance adopting the Annual Budget for the City of Ingleside, Texas for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022; estimating the revenue for said Fiscal Year; appropriating for the purposes stated the sums set forth in said Budget; and directing the City Manager to make necessary entries upon the books and accounts for the City to show the appropriation and allocations herein provided. (Single Reading)

Mayor Pro tem Schack, commented he would not approve due to the changes to the Annual Budget and not receiving a copy of the budget. Council Member Diehl, commented he wants to see the final budget. Mayor Pro tem Schack, requested to receive it by Friday, including a cheat sheet.

Council Member Salinas, commented relating to projects, keeping them separate, and tracking projects and stay on top of it.

Council Member Diehl, clarified Council Member Salinas' comment, to not keep it separate, but keep it as an ongoing process.

Mayor Pro tem Schack, made a motion, seconded by Council Member Diehl, to table Ordinance 2021-19 until the next Regular City Council Meeting. The motion passed unanimously.

16. Discussion, consideration, and action with regards to 2021/2022 Budgeted Benefits – Insurance Stipend, and additional recognized holiday.

City Manager, Linnette Barker, presented this item would include requests for and additional holiday, exempt vs. non-exempt insurance stipend, and other items to bring the city's benefits package in line with surrounding cities, and motivation for employees to move up to department head positions.

Council Member Diehl, commented the City Manager and Municipal Judge positions would not qualify for the stipend, and does not want to play with the insurance stipend, and suggested the option for Department Heads be a step-up bonus at the time of longevity pay distribution. City Manager, Linnette Barker, commented it could be used for medical premiums, a 457 or a Health Savings Account. Mayor Pro tem Schack, commented the stipend amount seems high, as it would be a \$10,000.00 bonus.

Council Member Tucker, commented he was not in favor of an additional holiday.

Cindy Wilson, 2635 San Angelo, made a comment regarding health insurance coverage for city employees and families.

City Manager, Linnette Barker, commented the current stipend of \$1200, does fully cover the employee. Mayor Pro tem Schack, commented to come back and look at the insurance portion regarding families, even if the current stipend goes away. Council Member Diehl, inquired what the city was paying for 96 employees for insurance. City Manager Linnette Barker, commented the city is paying, in the current budget, \$8,796,474.00, and in the proposed budget, \$8,909,171.00, with the total budget, \$36,000,000.00. Mayor Pro tem Schack, commented to come back with a plan to pay employee insurance at 100% and families at %75. Assistant City Manager, Jodi Carr, commented the reason the city moved to the stipend plan last year was to make it fair for the employees. Mayor Pro tem, commented we were wrong to move to the stipend last year, as it hurt families. City Manager, Linnette Barker, commented a Special Meeting would be preferred. Council Member Salinas, commented the insurance provider has the city over a barrel, and Council Member Diehl, commented the insurance providers look at history, placing the city in this position.

Council Member Diehl, inquired regarding the 2-step increase, which City Manager, Linnette Barker, commented it is approximately 2%. Council Member Diehl, commented he would like more insight regarding objectiveness, and a discretionary fund by the City Manager might be the way to go.

Council Member Pruitt, commented he wanted to help the families. Assistant City Manager, Jodi Carr, commented last year the decision was made by council to help the employees, since there were huge gaps. Mayor Pro tem Schack, commented council thought it was a good deal last year, and to help with the budgeting process. Council Member Pruitt, commented the proposed benefits was not hurting the employees, as it was paying 100% for the employee.

Mayor Pro tem Schack, made a motion, seconded by Council Member Wilson, to table the item 16 and 17 to Wednesday, September 22, 2021 at 6:30 Special City Council Meeting, with new data. The motion passed unanimously.

17. Discussion, consideration, and action of an Ordinance, amending the City of Ingleside Personnel and Policy Handbook, Section 7 Benefits, adding Section 7.A.1. Benefits coverage for City Retirees. (First Reading)

The item was tabled with item 16 under one motion. The motion passed unanimously.

18. Discussion, consideration, and action of an Ordinance authorizing and allowing under the act governing the Texas Municipal Retirement System "Updated Service Credits" in said system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are in the employment of the City of Ingleside; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; electing for the City to make current service and prior service contributions to the City's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation; and establishing an effective date for the Ordinance. (First Reading)

City Manager, Linnette Barker, commented the city's contribution has not been changed since it was adopted since 1979. City Manager, Linnette Barker, commented could possibly put the city back \$1.6 million. Council Member Diehl, commented this could put the city in a deficit. City Manager, Linnette Barker, commented we are the lowest in the area regarding the retirement contributions. Council Member Pruitt, commented to look at this next year, and not wait until budget time.

Mayor Pro tem Schack, made a motion, seconded by Council Member Diehl, regarding Ordinance 2021-21, to keep the TMRS contribution at 5%. The motion passed unanimously.

19. Discussion, consideration, and action, to hire a certified public accounting firm to conduct the annual audit of the books and account for the City of Ingleside Audit for years ending September 30, 2021, 2022, and 2023.

Ernest Garza, was present for any questions from the Council.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve Ernest R. Garza and Company, P.C. to conduct the annual audit of the books and account for the City of Ingleside Audit for years ending September 30, 2021, 2022, and 2023. The motion passed unanimously.

20. Discussion, consideration, and action on approval of 2021/2022 Ingleside Development Corporation Work Plan.

Ingleside Development Corporation Director, Jodi Carr, presented the IDC Work Plan for 2021/2022.

Council Member Diehl, commented the IDC was a great group of people, and the IDC budget is totally independent, and should not be part of the City's audit, and asked it to be separated. Council Member Diehl, commented the IDC budget can not be used as the City's credit worthiness. Mayor Pro tem, commented regarding the involvement of the IDC for Faith Park. IDC Director, Jodi Carr, commented the fields will be the next step, then an RFP for the Swimming Pool. Council Member Tucker, commented there will be a project manager regarding Faith Park. John Shrier, Project Manager, commented he would be updating the Council on the progress of Faith Park.

Council Member Tucker, made a motion, seconded by Council Member Wilson, to approve the Ingleside Development Corporation Work Plan for 2021/2022. The motion passed unanimously.

21. Discussion, consideration, and action concerning the possible acceptance of a sign for Live Oak Park to be donated by the Ingleside High School.

Assistant City Manager, Jodi Carr, presented the options for the donation of the signage for Live Oak Park.

Council Member Pruitt, commented if it was high enough for fire trucks to clear. John Shrier, Project Manager, commented he had confirmed with Chief Loving that fire truck will clear the sign. There were various discussions by Council Members regarding options to the sign and installation. City Manager, Linnette Barker, commented Public Works would handle the installation. Barbara Gregg, of the Ingleside Chamber of Commerce passed out a flyer regarding the Light Up Live Oak event.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the cowboy (western) font on two rows for the Live Oak Park Sign. The motion passed unanimously.

22. Discussion, consideration, and action to adopt State of Texas Senate Bill 1359, regarding mental health leave for peace officers.

Council Member Pruitt, inquired if city employees had mental health leave. City Manager, Linnette Barker, commented this is not an option for city employees at this time. Council Member Tucker, commented there are not any mental health facilities in the area, the closest is San Antonio. City Manager, Linnette Barker, commented it would be paid by the City of Ingleside.

There was various discussion by Council Members.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the adoption of Senate Bill 1359 with ten (10) mental health days.

23. Discussion, consideration, and action to adopt State of Texas House Bill 2073, regarding paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians.

Council Member Pruitt, commented if this covered volunteer fire fighters. City Manager, Linnette Barker, commented it did not cover the City of Ingleside Volunteer Fire Department. Fire Chief, Steven Loving, confirmed it only covered paid Fire Fighters, asked Council to keep that in mind.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve the adoption of Texas House Bill 2073. The motion passed unanimously.

Mayor Pro tem Schack, asked to proceed with item 25 before item 24.

25. Discussion, consideration, and action of a Resolution, changing fees contained in Appendix A – Fee Schedule of the Ingleside Code of Ordinances by amending fees assessed under Chapters 18, 22, 30, 50, 54 and 78. (Single Reading)

Mayor Pro tem Schack, commented electrical, mechanical and plumbing will be done by an outside service. That was confirmed by Carl Crull, engineer. City Manager, Linnette Barker, commented regarding the residential plan review, we would lose money on residential plan reviews for 1000, 1100, or 1200 square feet homes. Carl Crull, commented that money would be recouped on larger homes. City Manager, Linnette Barker, commented any home over 1300 square feet, the city would be making money.

Council Member Diehl, made a motion, seconded by Council Member Wilson, to approve Resolution 2021-38, changing fees contained in Appendix A – Fee Schedule of the Ingleside Code of Ordinances by amending fees assessed under Chapters 18, 22, 30, 50, 54 and 78, beginning October 1, 2021. The motion passed unanimously.

24. Discussion, consideration, and action for Professional Services Agreement between City of Ingleside, Texas and SAFEbuilt Texas, LLC.

Council Member Tucker, made a motion, seconded by Council Member Salinas, to approve Professional Services Agreement between City of Ingleside, Texas and SAFEbuilt Texas, LLC. The motion passed unanimously.

26. Discussion, consideration, and action regarding Employee COVID Vaccination Incentive.

City Manager, Linnette Barker, requested an incentive be available to fully vaccinated employees.

There were various conversations by City Council Members regarding the incentive and quarantine. Fire Chief, Steven Loving, requested that the COVID Vaccination Incentive be available to volunteer fire fighters.

Mayor Pro tem Schack, made a motion, seconded by Council Member Tucker, to approve a COVID Vaccination Incentive in the amount of \$100 for employees and the Volunteer Fire Department, for past and future full vaccination, with an end date of December 1, 2021. The motion passed unanimously.

27. Discussion, consideration, and action regarding the 5% credit card convenience fee charge.

Council Member Tucker, commented it has been an inconvenience for citizens to pay the 5% credit card convenience fee, since the lobby has been closed.

Council Member Tucker, made a motion, seconded by Mayor Pro tem Schack, to suspend the 5% credit card convenience fee charge for the payment of utility bills, retroactive to August 6, 2021. The motion passed unanimously.

28. Discussion, consideration, and action of the City Council Minutes, dated August 24, 2021, Regular City Council Meeting.

Council Member Tucker, made a motion, seconded by Council Member Pruitt, to approve the City Council Minutes, dated August 24, 2021, Regular City Council Meeting. The motion passed unanimously.

Mayor Pro tem Schack, closed the Regular City Council Meeting to proceed to Executive Session at 10:14 p.m.

**Executive Session:**

29. The City Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.074, Personnel Matters, to discuss, deliberate, and consider the following item – Interim Director of Infrastructure Services position.

Mayor Pro tem Schack, closed the Executive Session to proceed to the Regular City Council Meeting at 11:15 p.m.

**Action Items:**

30. Discussion, consideration, and action of the item(s) discussed in Executive Session.

Mayor Pro tem Schack, made a motion, seconded by Council Member Wilson, for the City Manager to get contracts with companies for licenses required by the city. The motion passed unanimously.

**Other:**

**31. Reports from Staff:**

- a) Expenditures over \$3000
- b) Monthly Financials
- c) Public Assistance Grant for the Winter Storm Event of February 2021 update
- d) FEMA Hurricane Harvey Administrative Grant Award update
- e) A/C and Electrical Contractor YTD update
- f) Gexa Energy Ancillary Services update
- g) Other Updates

Mayor Pro tem Schack, commented regarding item e is unacceptable. Council Member Diehl, asked the City Manager to certify the Round Robin procedure is truly being used for services. City Manager, Linnette Barker, confirmed this, and commented moving forward, the Finance Director will be more involved with the bid process.

Dawn Tarr, Finance Director, commented regarding item f was reviewed by legal, and we must pay, and commented the contract with Gexa expires December 2022. Council Member Salinas, asked to be informed of the early termination agreement of the Gexa contract.

Council Member Diehl, inquired how the city vehicles oil changes were being awarded. City Manager, Linnette Barker, commented the Round Robin was being used as of July 2021. Council Member Wilson, commented there aren't many places to get oil changes in town. Finance Director, Dawn Tarr, commented JP Automotive and Quality Automotive were the only locations in town.

Council Member Salinas, inquired where the road construction was in item a. City Manager, Linnette Barker, commented the majority was for Mustang Drive, with the oil spraying being contracted, and the majority of item a was for materials.

Council Member Salinas, commented regarding the demolition, and asked for documentation for the demolition on Avenue B.

**32. Requests from Council**

Council Member Wilson, requested to check why the ditch is holding water on Mustang Drive and San Angelo and the alley behind the Junior High.

Council Member Pruitt, inquired if the brush truck was running. Assistant City Manager, Jodi Carr, commented it is running.

Council Member Salinas, appreciated the cleaning of ditches on Highway 361.

City Manager, Linnette Barker, commented she will be out at a conference for Association of Rural Communities September 27-September 30th. The following week is the TML Annual Conference, and the following week, she will be out Thursday, Friday and Monday for vacation.

Council Member Diehl, requested for his TML conference reservations to be cancelled.

33. Adjourn

Mayor Pro tem, adjourned the meeting at 11:34 p.m.

ATTEST:



~~Sarah Wardinsky, City Secretary~~

Evanne Higgins, Interim City Secretary

APPROVED:



Ronnie Parker, Mayor