

**CITY COUNCIL - REGULAR MEETING**

**City of El Campo**

**315 EAST JACKSON STREET, EL CAMPO, TX 77437  
City Hall - Council Chambers 6:30 PM - April 9, 2018**

**Meeting Minutes**

**1. CALL TO ORDER**

**2. ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Randy Collins	Mayor	Present	
Richard Young	Mayor Pro-Tem	Present	
Anisa Longoria Vasquez	Council Member	Present	
Jeff Allgayer	Council Member	Absent	
Gloria Harris	Council Member	Present	
Tommy Hitzfeld	Council Member	Present	
John Hancock	Council Member	Present	

City Staff Present: City Manager Mindi Snyder, Chief of Police Terry Stanphill, Deputy City Manager Courtney Sladek, Assistant Police Chief Gary Williamson, Personnel Director Rene Garcia, City Secretary Lori Hollingsworth, Building Official Liz Staff, Assistant Finance Director Brittni Staff, EMS Director Chase Nielsen, Utilities Director Jerry Lewis, Municipal Court Judge Michelle Roy and Paramedic / ECVFD Chief Jimmy George.

City Development Corporation: Beverly Supak

ECISD Superintendent: Kelly Waters

ECVFD President: Kenneth Socha

Media Present: None

Guests Present: John Ely, Chris Barbee, Lori Vera, William Key, Frank Marek, Debra Newman, Edwin Gangel and Eric Burrow.

**3. PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Collins led the Pledge of Allegiance, followed with the Invocation performed by Mayor Pro-Tem Young.

**4. PUBLIC COMMENTS**

At this time, any person with city-related business, not scheduled on the agenda, may speak to the City Council. In compliance with the Texas Open Meetings Act, the City Council is limited to making a statement of specific factual information in response to the inquiry, or reciting existing policy, but may not discuss, deliberate, or take any action on any item. Each speaker will be limited to 3 minutes. The issue may be placed on a future agenda for consideration.

John Ely of El Campo took to the podium and stated that he is against taking park space for new business; he welcomes new business in town but not at the expense of park space.

**5. CONSIDERATION OF AND ACTION ON MINUTES**

1. City Council - Regular Meeting - Mar 26, 2018 6:30 PM

City Secretary Lori Hollingsworth stated to Council that a revised copy of the minutes was provided for their

review; making note to the change on page three of the minutes result has been changed to no action required from tabled.

Council Member Harris made the MOTION to approve the amended copy as presented of the City Council Regular Meeting Minutes from March 26, 2018, and Mayor Pro-Tem Young Seconded.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Gloria Harris, Council Member
<b>SECONDER:</b>	Richard Young, Mayor Pro-Tem
<b>AYES:</b>	Collins, Young, Vasquez, Harris, Hitzfeld, Hancock
<b>ABSENT:</b>	Allgayer

**6. CONSIDERATION OF AND ACTION ON**

1. DOC-2018-14 MOU with ECISD for Grant Submittal for a Shelter

The City of El Campo has gone through the Hazard Mitigation Planning Process as members of the Texas Colorado River Floodplain Coalition and had the required plan in place that would allow ECISD to attempt to secure FEMA funding that is being made available due to recent flooding events to allow a community to have a shelter. The intent of the School District is to use this as a routine facility as identified in the attached information from Mrs. Kelly Waters, ECISD Superintendent. Mrs. Waters will be present during the meeting on Monday to address any questions that you may have but at this time the request is that the attached MOU would be put in place to allow the grant process to move forward. Gary Williamson as our Emergency Management Coordinator is working to provide more information on how to handle shelters to the community and he will be here as well and he has coordinated with Mrs. Waters. Staff does recommend approval.

City Manager Mindi Snyder stated that there is a revised copy of the MOU from the City Attorney's Office. ECISD Superintendent Kelly Waters stated that the city already has the hazard mitigation plan on file and this would allow the city to file on behalf of the district for a FEMA Grant.

Mayor Pro-Tem Young made the MOTION to approve the Memorandum of Understanding (MOU) between the City of El Campo and the El Campo Independent School District for the grant application to FEMA that has been presented tonight in a revised copy and Council Member Hancock Seconded.

**MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF EL CAMPO AND EL CAMPO INDEPENDENT SCHOOL DISTRICT**

**WHEREAS, City of El Campo (“City”) applied for a federal grant on behalf of the El Campo ISD (“School District”);**

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Young, Mayor Pro-Tem
<b>SECONDER:</b>	John Hancock, Council Member
<b>AYES:</b>	Collins, Young, Vasquez, Harris, Hitzfeld, Hancock
<b>ABSENT:</b>	Allgayer

2. DOC-2018-15 Park Space in Alamo Park for Downtown Parking

At this time Mr. Frank Marek has made a request for the consideration of parking for downtown being added in the current park space between the back of the Post Office and the main part of Alamo Park. This smaller grassy area has rather large trees and is seldom used other than for large events such as Prairie Days. The attached drawing prepared by BLS was submitted and our Planning Director has shown the proposed improvements on a map so that the trees can be seen. The City has a tree preservation section within the landscaping ordinance and feels like the existing trees can be worked around and the additional parking spaces that the potential new business owner is requesting can be achieved. The intent would be for the owner to take care of the approved improvements at their expense as a donation to the City and the land will still be public space that can be utilized for parking for the general public as well as blocked off should the need arise for a large event in downtown.

Mr. Marek will be at the meeting on Monday night to answer any questions that you may have and if approval is granted to move forward then any appropriate documents will be prepared for future consideration.

Frank Marek took to the podium stating he is in the final stages of leasing his restaurant space however the potential tenant is requesting more parking. In addition to the parking being added behind the building the request is being made to allow, at the tenants expense, a change utilizing the section of Alamo Park from Alamo Street to behind the Post Office for public parking opposed to park space.

City Attorney Collins stated an agreement would be developed and brought back at another meeting, after researching history of the property and searching for any deed restrictions.

Mayor Pro-Tem Young expressed that in the agreement he would like to see concrete as the requirement for material.

Debra Newman of 506 Alamo Street is concerned with the current parking situation stating that area is already congested.

Council Member Hancock made the MOTION to approve proceeding with the planning phase of converting a section of Alamo Park from park space to public parking and Mayor Pro-Tem Young Seconded.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	John Hancock, Council Member
<b>AYES:</b>	Collins, Young, Vasquez, Hitzfeld, Hancock
<b>NAYS:</b>	Harris
<b>ABSENT:</b>	Allgayer

3. FY18 Budget Amendment III

Included in the packet is Budget Amendment III for FY18. The amendment is proposed for the following items:

- Increase sales tax to match projections, receipts are up \$251,135.05 or 14.2% from the previous year. The projected revenue estimated after Q2 for sales tax is \$3,875,000, an increase of \$225,000 from the adopted budget.
- Funds are requested for restrooms for the Fire Department in the new Public Safety Headquarters, \$7,200 will be utilized from the bond funds, with the remainder coming from the sales tax surplus.
- Funds are requested for a new playground to replace the removed playground from Rotary Park. The playground was removed in late March because of safety concerns.

No funds are requested from fund balance. Staff recommends approval of this amendment.

ECVFD President Kenny Socha took to the podium to request the restrooms that were on the original plans of

the new public safety building and were cut as a cost saving measure, be completed. During hurricane Harvey there were estimated to be twenty plus people sleeping in the fire department shell space and it did not take long to realize the building did not have enough restrooms to accommodate. In addition it is requested to approve the alternates that would finish out the restrooms the same as the others in the building and add for a washer.

Council Member Harris made the MOTION to approve the FY18 Budget Amendment III in the amount of one hundred fifty six thousand four hundred dollars (\$156,400.00) for the replacement of playground equipment at Rotary Park and for the installation and completion of restrooms facilities for the ECVFD at the public safety headquarters and Council Member Hitzfeld Seconded.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gloria Harris, Council Member
<b>SECONDER:</b>	Tommy Hitzfeld, Council Member
<b>AYES:</b>	Collins, Young, Vasquez, Harris, Hitzfeld, Hancock
<b>ABSENT:</b>	Allgayer

4. Community Services Board Appointment

Over the last year several meeting have been cancelled due to a quorum not present. The most recent meeting narrowly escaped being cancelled, with the member that made a quorum being nearly 20 minutes late.

Mike Shofner has been absent from the last 8 meetings, Mike Giesalhart has been absent from the last 6 meetings and Harold Simmons has only attended 1 meeting since being appointed.

Bill Smartt has applied to serve on this Board. Additional volunteers to be appointed are requested at this time. There will be a workshop in May regarding Boards to take a good look at how often they meet, the make-up and purpose and charge of each.

**COMMUNITY SERVICES BOARD** Ordinance No. 1998-06

2 Year Term - 9 Member Board - Requirements: Qualified Voter & City of El Campo Resident

<b>Name</b>	<b>Year Appointed</b>	<b>Term</b>
<b>Bobby Perez</b>	<b>2014</b>	<b>6/16-6/18</b>
<b>Hubert Kaiser</b>	<b>2015</b>	<b>6/16-6/18</b>
<b>Mike Shofner</b>	<b>2017</b>	<b>1/17-6/18</b>
<b>Mark Pool</b>	<b>2016</b>	<b>6/16-6/18</b>
<b>Mike Giesalhart</b>	<b>2014</b>	<b>6/17-6/19</b>
<b>Eddie Miranda</b>	<b>2017</b>	<b>6/17-6/19</b>
<b>Karl Rosenbusch</b>	<b>2017</b>	<b>6/17-6/19</b>
<b>Lily Khan</b>	<b>2017</b>	<b>6/17-6/19</b>
<b>Harold Simmons</b>	<b>2017</b>	<b>6/17-6/19</b>
<b>City Staff: Deputy City Manager Courtney Sladek, City Secretary Lori Hollingsworth and Public Works Director Kevin Thompson</b>		

Mayor Pro-Tem Young made the MOTION to approve the appointment of Bill Smartt to fill one of the three vacancies on the Community Services Board and Council Member Hitzfeld Seconded.

**COMMUNITY SERVICES BOARD** Ordinance No. 1998-06

2 Year Term - 9 Member Board - Requirements: Qualified Voter & City of El Campo Resident

Name	Year Appointed	Term
Bobby Perez	2014	6/16-6/18
Hubert Kaiser	2015	6/16-6/18
Bill Smartt	2018	4/18-6/20
Mark Pool	2016	6/16-6/18
VACANCY		
Eddie Miranda	2017	6/17-6/19
Karl Rosenbusch	2017	6/17-6/19
Lily Khan	2017	6/17-6/19
VACANCY		
City Staff: Deputy City Manager Courtney Sladek, City Secretary Lori Hollingsworth and Public Works Director Kevin Thompson		

<p><b>RESULT:</b> APPROVED [UNANIMOUS]  <b>MOVER:</b> Richard Young, Mayor Pro-Tem  <b>SECONDER:</b> Tommy Hitzfeld, Council Member  <b>AYES:</b> Collins, Young, Vasquez, Harris, Hitzfeld, Hancock  <b>ABSENT:</b> Allgayer</p>
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5. DOC-2018-16 Resolution No. 2018-04 Re-Examination of the Long-Standing Sales Tax Physical Presence Requirement

This item has been placed on the agenda at the request of the Mayor to establish the importance of the matter at the local level as it impacts sales taken away from local businesses due to internet sales that do not charge sales tax unless they have a physical presence in the state. This has been a debate at the Federal level for quite some time and an article is attached that reflects the history and why the push to move away from physical presence to economic nexus. If the resolution is approved as presented we will forward this to our State and Federal Legislators to use in the process of seeing a change on this important topic.

Council Member Hancock made the MOTION to approve Resolution No. R2018-04 Re-Examination of the Long-Standing Sales Tax Physical Presence Requirement as presented and Mayor Pro-Tem Young Seconded.

**CITY OF EL CAMPO, TEXAS  
 RESOLUTION NO. R2018-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAMPO, TEXAS, IN SUPPORT OF THE RE-EXAMINATION OF THE LONG-STANDING SALES TAX PHYSICAL PRESENCE REQUIREMENT AND TO SUPPORT THE PASSAGE OF LEGISLATION THAT WOULD APPLY THE CONCEPT OF ECONOMIC NEXUS TO CHARGE, COLLECT, AND REMIT SALES TAX ON INTERNET (ONLINE) SALES.**

<p><b>RESULT:</b> APPROVED [UNANIMOUS]  <b>MOVER:</b> John Hancock, Council Member  <b>SECONDER:</b> Richard Young, Mayor Pro-Tem  <b>AYES:</b> Collins, Young, Vasquez, Harris, Hitzfeld, Hancock  <b>ABSENT:</b> Allgayer</p>
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6. City Council Meeting Procedures

Mayor Pro-Tem Young and Councilman Hitzfeld asked that the City Council have the opportunity to propose a change to the City Council Meeting Procedures. They would propose that the meeting start time be moved to 5:30 p.m. The staff will be happy to accommodate this change if it is approved and the feeling from the staff is that most people who would like to appear before the City Council would be able to schedule to do so. If that is not the case the time can be adjusted on a case-by-case basis as needed.

The attached City Council Meeting Procedures were last amended on September 23, 2013 and are presented here for consideration and possible amendment of regular meeting start time. If the start time is moved then a discussion on planned start time for the joint meeting with the CDC on 4/23 at 5:00 needs to take place.

Mayor Pro-Tem Young made the MOTION to table the City Council Meeting Procedures until after the new Council Members are seated and Council Member Hitzfeld Seconded.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 5/28/2018 6:30 PM</b>
<b>MOVER:</b>	Richard Young, Mayor Pro-Tem	
<b>SECONDER:</b>	Tommy Hitzfeld, Council Member	
<b>AYES:</b>	Collins, Young, Vasquez, Harris, Hitzfeld, Hancock	
<b>ABSENT:</b>	Allgayer	

7. Candidate Forum

KULP has planned a Candidate Forum here in the Council Chamber for the upcoming elections and that will be held on Thursday, April 19th at 5:00 p.m.

This item is provided as informational only and required no action to be taken.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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8. Comprehensive Plan, Strategic Plan Update

Included in the packet is the Comprehensive Plan and Strategic Plan Update for the first half of Fiscal Year 2018.

This update provided is for informational purposes and required no action to be taken.

<b>RESULT:</b>	<b>NO ACTION REQUIRED</b>
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7. ADJOURN

There being no further business to discuss, Mayor Collins adjourned the meeting at 7:38 P.M.

Attest:

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Lori Hollingsworth, City Secretary

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Randy Collins, Mayor