

REGULAR CITY COUNCIL MEETING

The Edna City Council met in regular session on Thursday, May 4, 2023, in council chambers at 6:00 p.m.

CALL TO ORDER: Mayor Lance Smiga called the meeting to order at 6:00 p.m. The council stood for prayer followed by the council and audience reciting the Pledge of Allegiance.

PRESENT: Councilperson District 1 Cipriano Palacios, Councilperson District 2 Wayne Callis, Councilperson District 4 Mike Dodds and Councilperson District 5 Johnny Vasquez were present, Councilperson District 3 Chris Jackson was absent. City Manager Gary Broz, Investigator Derrick Berma, Finance Director Diane Pierce, Parks Supervisor Jaime Liepe, Street Superintendent Andy Brzozowski and City Secretary LaSonya Robinson were also present. Director of Utilities Brad Ryan was absent. The minutes were recorded by City Secretary Robinson.

APPROVE MINUTES OF THE CITY COUNCIL MEETING HELD APRIL 20, 2023:

Councilperson Dodds made the motion to approve the minutes of the city council meeting held April 6, 2023. Councilperson Vasquez seconded the motion. All voted AYE. Motion carried.

VISITORS: Kim Shook, Velma Vasquez, Amanda Brand, Tiffany Montes, Jack Slaton, Milton Z. Marburger, Sam Matlock, Elizabeth Sommerfeld, Lesa Janica, Travis Janica

PUBLIC COMMENTS:

“During the council meeting, as each item is addressed, the council shall also allow the audience to speak on any subject matter that is posted on the agenda in accordance with HB 2840. The council may not take action on any item which has not been posted on the agenda.” Please limit-two minutes.

There were no public comments.

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A SPECIFIC USE PERMIT FOR THE BUILDING OF A HAIR SALON BY JOHN TRAVIS JANICA. LOCATED AT 703 GILBERT ROAD, EDNA, TEXAS. LEGAL DESCRIPTION: A5044 McGuffin, JOHN, ACRES 1.08:

City Secretary Sonya Robinson advised everyone that Travis Jancia is wanting to build a hair salon on Gilbert Road. City Secretary Robinson stated that they mailed out nine response letters and we did not receive any response letter back. City secretary stated that he was approved by planning and zoning on April 11, 2023.

APPROVE OR DISAPPROVE APPLICATION FOR A SPECIFIC USE PERMIT FOR BUILDING OF A HAIR SALON AT 703 GILBERT ROAD IN EDNA, TEXAS. LEGAL DESCRIPTION:

Councilperson Callis made a motion to approve the building of a hair salon at 703 Gilbert Road in Edna, Texas. Councilperson Dodds seconded the motion. All voted AYE. Motion carried.

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A SPECIFIC USE PERMIT FOR A PARKING LOT LOCATED AT THE CORNER OF ALLEN AND HICKORY TO USE FOR A VENUE OWNED BY ZACH AND HEATHER MARBURGER LOCATED AT 301 W. CHURCH IN EDNA, TEXAS. LEGAL DESCRIPTION: MARVIN 1ST BLOCK 9, PT 3-4-5-6.

City Manager Gary Broz stated parking is the issue and the planning and zoning met on April 11, 2023, for the agenda. City Manager Broz stated on the 14th of April we received a letter from the Baptist church stating that they are not allowing the Marburger to use their parking lot. City Manager Broz states that there are still some issues, and the address was wrong on the planning and zoning agenda, so he is asking that we table the item while we work through it. City Manager Broz stated the city also needs to do some work in that area. Zach Marburger stated they are not from Edna but have bought property and repaired it back to life and sold it. Marburger stated that the focus of the meeting is for parking. Marburger stated that by using

the Sanctuary address they reached more people than if we used the property address at Allen and Hickory because it would have been more commercial buildings. Mayor Smiga stated that he they are asking for it to be table for legal reason and get everything cleared up. Councilperson Palacios stated that if we had wrong information on planning and zoning paperwork then we need to wait for legal reason. Sam Matlock stated they he just wants to make clear that the church is not offering their property, but he does with the Marburgers the best. Amanda Brand owns Twisted Caribo. Brand states she has done some research and if the church was already established and had 199 spots at the time why are we not able to get a little more now. Brand ask is it because its in residential zone. She states she knows personally that when she goes to an upward basketball game there is not enough parking, and she is parking she is parked on a residential line. Brand states that what she does not understand what makes it okay for one church and not another. Brand states that there is a smoke shop in town that as occupancy of 50 and where is there parking. Brand thinks that we need to come together as a community and get something going. Brand states that we try to stay local, but having problems with bring things in. Brand states that they are trying to bring tax money and we need to find a way to make things better. Elizabeth Sommerfeld stated that she is on the planning and zoning committee and that yes, the address was wrong, but was made was aware of the location the parking lot. Sommerfeld stated that Sonya showed them a map of where the property was located. She stated that they are trying to find an additional space to park. Sommerfeld states that her and family drove the area last night and son made a comment "Its shorter that walking to NRG Center" and there are lights. Sommerfeld thinks it's ideal for them. Marburger asked how many houses would have been missing if we used the other property. City Manager Broz advised we have not checked that. Mayor Smiga stated that we need to go back and start over.

APPROVE OR DISAPPROVE THE APPLICATION FOR A SPECIFIC USE PERMIT FOR A PARKING LOT AREA FOR A VENUE. THE PARKING LOT IS ON THE CORNER OF ALLEN AND HICKORY:

Councilperson Palacios made a motion to table application for a specific use permit for a parking lot on the corner of Allen and Hickory. Councilperson Dodds second the motion. All voted AYE. Motion carried.

CONSIDER RESOLUTION #2023-05 FOR AEP APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRICTION RATES WITH THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS AND TAKE ANY ACTION DEEMED NECESSARY:

City Manager Gary Broz states we have received formal notice that AEP wants to raise the rates. City Manager Broz states we have opportunities to dispute them. City Manager Broz states he is asking to pass resolution # 2023-05, so we can dispute. Councilperson Callis approved resolution #2023-05. Councilperson Dodds seconded the motion. All voted AYE. Motion carried.

DISCUSS UPDATES OF THE CITY OF EDNA PERSONNEL MANUAL AND TAKE ANY ACTION DEEMED NECESSARY:

City Manager appreciated everyone questions and concerns. Mayor Smiga asked is there anymore question that need to be addressed. Councilperson Dodds made a motion to approve the City of Edna Personnel Manual. Councilperson Vasquez second the motion. All voted AYE. Motion carried.

PROCLAMATION DECLARING APRIL AS FAIR HOUSING MONTH IN EDNA, TEXAS AND TAKE ANY ACTION DEEMED NECESSARY:

City Manager Broz stated the history is each April we do a proclamation for Fair Housing month for the different grants that we apply for. Councilperson Callis made a motion to approve the proclamation declaring April is Fair Housing month. Councilperson Palacios second the motion. All voted AYE. Motion carried.

CONSIDER AWARDING BID FROM CALDWELL COUNTRY CHEVROLET FOR A NEW PICKUP FOR THE POLICE DEPARTMENT THROUGH THE LONE STAR FUNDS AND TAKE ANY ACTION DEEMED NECESSARY.:

City Manger Broz stated that we would use the \$50,000 thorough the Lone Star program. City Manager Broz stated that we could not put through enterprise cause the project states you have to own it. City Manager Broz asked that they approve the vehicle. Councilperson Palacios made a motion to approve the purchase of a vehicle for the police department through the Lone Star Fund. Councilperson Vasquez second the motion. All voted AYE. Motion carried.

CONSIDER A MEMORANDUM OF UNDERSTANDING WITH JACKSON HOSPITAL DISTRICT FOR A HOSPITAL RESOURCE OFFICER AND TAKE ANY ACTIO DEEMED NECESSARY:

Mayor Smiga stated that he is going to turn the meeting over to Councilperson Callis, because he is the CEO of the hospital, and he will answer questions for the hospital side. City Manager Broz stated we have a memorandum enclosed for an officer at the hospital. City Manager Broz states that the hospital will pay salary and we furnish the vehicle. City Manager Broz states that it is the same as the school and asks that the memorandum is approved, and it will then go to the hospital board. Councilperson Callis asked will it be one of the current officers. City Manager Broz states the Chief will have to hire another person. Investigator Derrick Berma states, yes, they will have to hire someone else, but it helps them, so when they must monitor a person for hours there it not keeping an officer off the streets. Mayor Smiga states from the hospital's side that in a couple of months he may ask for another cause the hospital is open 24 hours a day. Councilperson Palacios asks if they will look for a retired or reserved person. Investigator Berma states that it is easier to get someone to secure the hospital than patrol. Councilperson Palacios made a motion to approve a memorandum of understanding with Jackson County Hospital District for a Hospital Resource Officer. Councilperson Dodds seconded the motion. All voted AYE. Motion carried.

DISCUSS DEED FOR PROPERTY FROM EDNA INDEPENDENT SCHOOL DISTRICT AT CORNER OF ASH AND KLEAS FOR THE '21 STREET PROJECT AND TAKE ANY ACTION DEEMED NECESSARY:

City Manger Broz stated this is the property where Austin school was by the car wash. City Broz states if the deed is approved, they are asking us to build them a 134 feet fence. City Manager Broz stated that you would no longer turn down Kleas Street. Councilperson Palacios asked why we didn't consider that when all the other work was being done in that area. City Manager Broz advised him this is part of the same project. Councilperson Palacios made a motion to approve the deed for the property from Edna Independent School District at the corner of Ash and Kleas Street. Councilperson Dodds second the motion. All voted AYE. Motion carried.

DISCUSS AND CONSIDER BUDGET AMENDMENTS:

No action taken.

DISCUSS AND TAKE APPROPRIATE ACTION TO CONSIDER PAYMENT OF CURRENT BILLS:

City Manager stated that we need to pay bills totaling \$170,628.78. Councilperson Callis made a motion to approve paying bills totaling \$170,628.78. Councilperson Dodds made a motion to second. All voted AYE. Motion carried.

CITY STAFF REPORTS:

"At this time, City Council will hear reports / updates on all committees or department assignments which may include, but is not limited to the following: City Manager-grants, projects, public information; Finance Director-finance & department reports; Police Department-grant updates, police reports; Director of Utilities-park reports, water & sewer updates; Street Department-repairs/projects; Code

Enforcement-progress reports; Jonas Titus-Vice Economic Development; City Secretary-public information.”

City Manager Broz states the ARP Gilbert Road project is still moving and everything is going well. The CO on the Northside is going well. Mercer is finding some good and bad things as they are putting pipe in the ground. Software is moving fast. Planning for October or November to go live. Water meter change is moving after to wait for radios. We will possibly end up with \$2.1 million out of the Golden Crescent foundation. They will meet next week.

Grass is growing.

Victoria EDC will be at the next meeting to give a report on what they accomplished.

Looking for part-time help in the Parks Department.

CenterPoint just filed for rate increase.

Finance Director Diane Pierce stated that she is glad positions are filled in front.

Software is moving fast states she had a training today for it. Will know about the other open position next week.

Street Superintendent Andy Brozowski stated that they have been shredding and weed eating, cleaning Allen Street, cleaning out outfall ditch on E. Division on southside of roadway. Still waiting on mutual agreement for easement, have a dump truck in shop
Vacancy filled.

Cut trees at Erie and Third, Bois and Allen and Pumphrey.

Waiting on some good sunny days for the sweeper to come clean.

Director of Utilities was absent.

Parks supervisor Jaime Liepe stated that as of now moving is caught up. The flagpole has been repaired and a new flag has been put up.

Investigator Derrick Berma states they just been keeping busy.

WORKSHOP SESSION: DICUSS WITH COUNCIL ON WHAT WE HAVE ACCOMPLISHED, WHAT IS HAPPENING NOW AND WHAT WE WANT TO ACCOMPLISH:

City Manger states we have completed CDBG Wastewater line, the CDBG-DR is completed on Peabody, Roosevelt, Navidad, Sample and Ash, Cowboy Pride is up., The radar is up and functional on Kleas, purchased a min-excavator and have been cleaning ditches. We have updated our technology. All employees are using 365 we are working on sharing our calendar, all workstations all double monitors and scanners, received and install new body camera and car cameras for police department. We have replaced 58 driveway culverts there is a map in City Manager office of what has been completed. We had a successful cleanup day in June, 10 houses were torn down. City Manager states the WWTP improvement for Mercer evaluation as been completed and we have updated our building codes from 2009 to 2018. City Manager states we are in progress of meter changeouts, software conversion, working on file room, warrant roundups. City Manager states we are also in progress of '21 CO Project – Water -WW-drainage streets-Dist-1 \$3.69 million, ARP fund- drainage project on Gilbert Road \$1.7 million, FEMA has mitigation grant – DR-4332 -Generators for Hickory-Sunset, GCRPC- solid waste grant-waste oil collection tank, OPIOID \$- from attorney general -drug education, wastewater treatment plant – improvement-painting facilities, patching potholes and trimming trees, Operation Stone Garden-PD and updating the personnel manual. Grants we have opened are the FEMA DR-4586 Generators we have to rebid, GCRP -Mitigation, FEMA HMGP-485 for drainage-Jackson/Davis/Gayle/Miracle, WWTP upgrades, Lift station upgrade. TxDot, GLO-comprehensive city plan, LNRA – community grant- restroom/concession stand/shelby park baseball field, Challenge grant – Shelby Park master plan and 2023/2024 CDBG – water line project for St. Charles – Kerr- Roosevelt – Ward

ADJOURN:

Councilperson Callis made the motion to adjourn the meeting at 7:28 p.m. Councilperson Vasquez seconded the motion. All voted AYE. Motion carried.

Lance Smiga, Mayor

LaSonya Robinson, City Secretary