

CITY OF INGLESIDE  
SPECIAL CITY COUNCIL MEETING  
MINUTES  
JANUARY 31, 2023  
6:30 P.M.

**Opening Agenda**

**1. Call Meeting to order.**

The Special Meeting of the City of Ingleside was called to order by Mayor Adame at 6:30 p.m. on January 31, 2023, at City Hall 2671 San Angelo Ingleside, TX and live video streaming.

**2. Roll Call.**

With Council Members present a quorum was established.

Council Members Present: Steve Diehl, Stewart Wilson, David Pruitt, John Salinas, Tracy Long, Julio Salinas and Mayor Pedro Oscar Adame.

**3. Invocation.**

Council member Pruitt led the invocation.

**4. Pledge of Allegiance.**

Mayor Adame led the Pledge of Allegiance to the U.S. flag.

**5. Citizen Comments and Reports**

At this time, written comments received by 4:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

No Citizen Comments and Reports.

**Special Agenda**

**6. Deliberate and take appropriate action on the acceptance of the City of Ingleside Annual Financial Report for the Year Ended September 30, 2021.**

City Manager Lewis stated that the City Staff is recommending to table this item until the February 14, 2023 meeting. File revisions were submitted. Auditor and Staff are finalizing the statements at this time.

Council Member Diehl stated that Council should give staff the time they need.

**Motion:** Council Member Diehl made a motion to table Item 6 until the next meeting. Council Member John Salinas seconded the motion. Motion carried with all present voting in favor.

Mayor Adame called to move item 13 before Item 7.

**7. Deliberate and take appropriate action accepting the HOT Fund Post Event Form from the Chamber of Commerce for Light Up Live Oak and authorizing payment of \$33,590.12 for the event held December 2-3, 2022.**

Jodi Carr Director of Economic Development stated that the Light up Live Oak Christmas event was very successful. This event is in partnership with the Chamber of Commerce. The Council did approve the application for Hot Funds back in August. Staff is requesting that you approve the Chamber's post event form that Hot Funds has reviewed and reconciled all of the receipts. The Ingleside Chamber is in full compliance with the laws we are governed by, and we are asking that you approve their payment of \$33,590.12.

Discussion held among the Council about the Staff working with the Ingleside Chamber especially the City Secretary, planning of the event for next year, and the Council Members agreeing on the enjoyment they had at the event.

Barbara Gregg from the Ingleside Chamber of Commerce stated it was the first time having a Fire Safety Trailer, which was recently donated to the County, at an event and there were over 200 kids that went through that section of the event.

**Motion:** Council Member Diehl made a motion to release the expenditure and accepting the HOT Fund Post Event Form from the Chamber of Commerce for Light Up Live Oak and authorizing payment of \$33,590.12 for the event held December 2-3, 2022. Council Member Wilson seconded the motion. Motion carried with all present voting in favor.

**8. Deliberate and take appropriate action on confirming the appointment of the City of Ingleside Volunteer Fire Chief.**

City Manager Lewis stated that the City Council did amend Chapter 42 Article 3 Section 42.57 at the November 8, 2022 Regular City Council Meeting to have a Volunteer Fire Chief appointed by the City Manager and confirmed by the City Council. We received several applications, and did have an interview team consisting of myself and two Directors from neighboring Cities. The Fire Chief from Aransas Pass and the other was the Assistant Fire Chief from Portland. Staff is recommending that Thomas L. Miller be appointed as the Volunteer Fire Chief.

Thomas L. Miller stated he was newly retired from the Fire Service. He said he had been here a month and a half as a retiree. With 32 years in the Fire Service, TCFP Certified, Advanced EMT, and that he had been working in the ER as an ER Technician. He stated that he loves taking care of people and serving the citizens. He is looking forward to making sure that the Volunteer Fire Department has everything they need to succeed.

Discussion was held among the Council about the position being a dual role and welcoming Thomas as the new Volunteer Fire Chief.

**Motion:** Council Member Long made a motion to confirm the appointment of the City of Ingleside Volunteer Fire Chief Thomas L. Miller. Council Member Pruitt seconded the motion. Motion carried with all present voting in favor.

**9. Deliberate and take appropriate action on first reading of an Ordinance of the City Council of the City of Ingleside, Texas, ordering and calling a Special Election pursuant to Section 327.007 of the Texas Tax Code to determine whether the citizens desire to reauthorize the local sales and use tax to continue providing revenue for maintenance and repair of municipal streets; prescribing the form of ballot; providing for notices; providing a severability clause; and declaring an effective date.**

City Manager Lewis stated the City of Ingleside started collecting the tax for use of maintenance and repair October 1, 2007. The Texas Tax Code, Title 3, Subtitle C, Chapter 327 Municipal Sales and Use Tax for Street Maintenance and has to be reauthorized by the people every 4 years. This is a special election being called for the allocation of the sales tax for Street Maintenance and Repair. Staff is recommending the Council approve this Ordinance as stated by our Charter and be placed on the next election.

Discussion was held among the Council about this being a future Agenda Item, the ramifications if not placed on a Special Election, the reason it is placed on a special election, the use of the money, and the request to hear Item 14 before proceeding with a vote.

Mayor Adame advised he was going to move to Item 14 on the agenda before voting on Item 9.

Further Discussion was held among the Council and Staff about the amount of money built up in the funds for streets, the steps being taken to start using the funds to repair streets, where the funds are coming from such as Sales Tax vs. New Tax, the need for this to fix the street, seal coat machine, crack seam machine, the purpose of the sales tax was designed to repair streets only, never intended to rebuild roads only for routine maintenance for streets, it is now at \$1.4 million that has not been spent over the years for routine maintenance, current staff had nothing to do with this, what happens if it goes away what would happen, the city would not be collecting the maximum amount of tax possible, the State Comptroller's Office stated that the County is one of the entities and Districts in the County could get the sales tax if they put it on the election, the amount of time the City would have to wait if this is not put on the Special Election calling for reauthorization, not taking money from the City only not collecting the money, saving up \$1.4 million was not what the Council asked the citizen to vote on, recap on what budgets should be spent on maintenance of streets vs. repairing of streets, HB 640 on the current Legislature Session is entertaining having it extended up to 8 years or indefinite, election years, if the money can be spent all at once, and not being used for 3 years.

**Motion:** Council Member Diehl made a motion to pass to the second reading of an Ordinance of the City Council of the City of Ingleside, Texas, ordering and calling a Special Election pursuant to Section 327.007 of the Texas Tax Code to determine whether the citizens desire to reauthorize the local sales and use tax to continue providing revenue for maintenance and repair of municipal streets; prescribing the form of ballot; providing for notices; providing a severability clause; and declaring an effective date. Council Member Long seconded the motion. Motion carried with all present voting in favor.

Mayor Adame called for Item 12 to be moved before Item 10 on the agenda.

**10. Deliberate and take appropriate action on a draft agreement for the rented use of Live Oak Park Ballfields to conduct sports tournament.**

Mayor Adame called for Item 10 to be removed from the agenda.

**11. Deliberate and take appropriate action on the team field usage agreement and usage criteria for the reserved use of the Live Oak Park Ballfields for when an exclusive use agreement is not in effect.**

Mayor Adame called for Item 11 to be removed from the agenda.

**12. Deliberate and take appropriate action on an agreement with the Ingleside Little League for exclusive use of the ballfields at Live Oak Park for the period of March 1 – July 31, 2023.**

Andy Tarkington Director of Parks & Recreation stated that this is a draft agreement with the Little League Association and the changes to the contract include raising the insurance from \$1,000.00 to \$5,000.00 and adding Ingleside as an additional insured. Also providing The City of Ingleside a list of coaches that pass the National Background check. This is already being done. No fees are being charged. There is a cleanup provision being added.

Victor Moreno Little League, 2997 Westlake Drive, stated there is a section about removing all equipment and storage 7 days after the contract ends. During the last 8 years this has never been in the contract to clear out equipment, concessions, etc., and no outside storage. Moreno requested this be amended.

Discussion was held among the Council, Staff, and Representative about the two groups that hold tournaments which the Little League has a contract with, Tournament Directors and concession stands run by the Cities, Teams raise the funds to not charge parents for equipment, during the interim period the city facilities are being used as storage for non-city equipment and the facility could be used during the period outside the agreement, who is liable for equipment stored when not under contract, history of concession stand being

used when not under contract, the City could use it for storage and not have to build another facility to house city equipment, Little League has always accommodated other events wanting to be held when the fields were not in use for city staff, Renters Insurance for equipment, Little League would have to outsource storage, the length of the contract, the seasons being held, amount of kids is 235 plus that participate, denial by staff to amend the date for the contract, add a clause that the city would not be responsible, extending the contract for the dates needed, standardizing of contracts, and Council having the option to amend the contract at any time.

Colton Smith, 2153 Ridgewood, stated that the idea of responsibility is mine. His non-profit took care of anything that comes up missing. It is my responsibility to pay for something that gets broken.

Further discussion was held among the Council on food trucks to come in for city events, amendment of the contract for the Little League to extend the Live Oak fields all year round, adequacy of lighting for the fields, tournaments are not advertised as Little League, taking Item 10 & 11 off the agenda, Times of the day the Little League has contracted rights of the fields, and the Little League allowing others to use the fields because they are volunteers for the Little League.

Jenna Miller, 2193 Glenwood, stated the Little League is all year long. It is used to help the kids daily.

**Motion:** Council member Diehl made a motion to approve the contract between the City of Ingleside and the Little League as follows with the term of the contract amended to be from March 1, 2023 through February 28, 2024 and strike the whole line that all league equipment, excluding improvements purchased by the League or any other donation(s) to city facilities, is required to be removed within (7) days of the end of the contract. Council member John Salinas seconded the motion. Motion carried will all present voting in favor.

**13. Deliberate and take appropriate action on an agreement with the Ingleside Texas Coast Soccer for exclusive use of the fields at N.O. Simmons Park for the period of February 1 – June 3, 2023.**

City Secretary Ruby Mowles explained on this agenda item for the Facility Usage Agreement, page two (2) of the contract, under item number one (1) is a discrepancy. It says "Little League Auxiliary" and it should be "Texas Coast Soccer". This will be corrected if approved.

City Manager Lewis introduced Andy Tarkington Director of Parks & Recreation. Director Tarkington spoke about the error and why it happened. Changes on the contract include raising the amount of insurance required, adding the City of Ingleside as an additional insured, and requiring the Soccer Association to submit a list of coaches who have passed the National Background check.

Gerald Crain President of the Texas Youth Soccer stated that they have always had insurance that is completed at the beginning of the fall season. The State is the one that covers the insurance for all of the kids. The State is the one who submits the paperwork to the City. He said he was working with the Association in Corpus Christi to get a copy of the insurance to provide to the City.

Discussion held among the Council about making this standard for all Leagues, insurance, amendments, removing equipment from the Skate Park due to storage issues, number of kids that play about 200 per year, and other events that run at the same time as the Soccer Association and making accommodations for other events,

**Motion:** Council Member John Salinas made a motion to accept the agreement with the Ingleside Texas Coast Soccer for exclusive use of the fields at N.O. Simmons Park for the period of February 1 – June 3, 2023. Council Member Pruitt seconded the motion. Motion carried 6-0 with one abstention.

For Motion: Council Member Diehl, Council Member Wilson, Council Member Pruitt, Council Member John Salinas, Council Member Long, Mayor Adame

Abstain: Council Member Julio Salinas

**14. Deliberate and take appropriate action on streets recommended for maintenance and repairs.**

City Manager Lewis stated that the Street Advisory Group met on January 13, 2023 and discussed possible street repair and maintenance. There is a list of streets selected for repairs. Two streets were selected to receive mill and overlay with 2" asphalt.

Gary Paredez Director of Infrastructure stated the reason the streets that were chosen for mill and overlay was the two street actually connect together in a "U" shape and they already have a good curb and gutter. These streets have a lot of patches and should only get the mill and overlay to protect the curb and gutter. These streets are Timberleaf and Spring Park. The other streets chosen were Elizabeth from Sherry to North Street, which there is a typo on the coversheet. Avenue G from 4<sup>th</sup> to 1<sup>st</sup> Street and 2<sup>nd</sup> Street from Avenue G to Avenue K. Then from 6<sup>th</sup> Street from Avenue B to Main Street. Pace Street was also selected. The streets were selected to try and spread them out throughout the City and were recommended for a two course seal coat. This would make these streets good for the next 5 to 7 years.

Discussion was held among the Council about selection of streets, what the money is set aside to repair not reconstruction, amount of miles of the streets to be repaired, infrastructure of the streets currently, Transportation Master Plan, how the streets were chosen, budgeted directly from the Sales Tax, impact on the fund, how many more streets would be able to be fixed, current streets being repaired and the damage to connecting streets as the current repairs are taking place, future street repairs, and weather conditions when repairing streets due to recommended procedures with the materials.

Further Discussion held among the Council and Staff about the Master Plan, Street Advisory Group, and making a plan to rotate which Streets get fixed, and 1<sup>st</sup> Street which needs repairs along the whole Street. Waterline needs to be replaced on 1<sup>st</sup> Street and old lead pipe that was found.

**Motion:** Mayor Adame made a motion to approve the streets recommended for maintenance and repairs. Council Member Pruitt seconded the motion. Motion carried with all present voting in favor.

Mayor Adame advised that he would proceed back to Item 9 on the agenda now that Item 14 had been voted on.

**15. Items to consider for placement on future agendas.**

Mayor Adame wants an Executive Session added to the February 14, 2023 agenda for Economic Development.

Council member John Salinas wants a report on the cleaning station at Cove Park and need a team meeting.

Council Member Diehl wants an update on the next agenda for the City Manager to formally meet with TxDot about a completed sidewalk and lighting on Highway 361 from Dairy Queen to the Motel.

Council Member Diehl requested for staff to look into dump trucks tearing up Henrietta and 6<sup>th</sup> Street.

Council Member Diehl requested for City Manager reach out to San Patricio County, since the COVID Emergency is ending, and the impact it has on the City. Any money left in the funds and what can be done with that money.


Council Member Diehl requested for an executive session about litigation between the City of Ingleside and the City of Corpus Christi with a ton of money sitting in escrow.

Council Member Wilson wants an update on all equipment purchased for \$ 467,000.00. Is it running or broken.

16. **Adjourn.**

Mayor Adame adjourned the Special Meeting of the City of Ingleside at 8:11 p.m.

APPROVED:

  
Pedro Oscar Adame, Mayor

ATTEST:

  
Ruby Mowles, City Secretary