

CITY OF INGLESIDE
REGULAR CITY COUNCIL MEETING
MINUTES
MARCH 28, 2023
6:30 P.M.

Opening Agenda

1. Call Meeting to order.

The Regular Meeting of the City of Ingleside was called to order by Mayor Adame at 6:30 p.m. on March 28, 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, Mayor Pro-Tem 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.

City Secretary Mowles read citizen comments that came in by email prior to the meeting.

Ronnie Parker, 1844 Mooney Lane, stated in an email that he was disappointed in the current Council regarding the Police Department and handling of the recent events. He took a stance for the Police Chief and the entirety of the Police Department. Parker stated that he believes this was due to politics that has interrupted policing. He believes that the City Manager is not a good fit for this community and should be handled in an appropriate manner.

Caroline Sewell stated in an email that she had been an employee for the Police Chief in the past and has the upmost respect for her. Sewell stated that she hoped Chief Burr would be reinstated as soon as possible and believes that the Police Department has benefited from her leadership.

Maitlin Fahrenthold stated in an email that she wanted to know what the City Council was going to do about the lack of transparency and professionalism shown by the City Manager in her opinion. She stated that Chief Burr was suspended without an explanation provided to her. She stated that Chief Burr is very respected in the community. She claimed that she had several issues with the City Manager during her employment as the Fire Marshal and spoke about her concerns personally. Her focus was on employment turnover at the City.

Cassandra Bell Duvall, 1776 Morgan Lane, stated in an email that she has lived in Ingleside since 2008 and was a former employee of 8 years in which she resigned. She stated she was in support of the Chief. She claimed that Chief Burr has been a positive asset to the City of Ingleside and cares for the community. She stated that the City Administration is not willing to stand up for the employees that care and work hard.

Anna Kucera, 2100 Sixth Street, stated in an email that in her 14 years with the City of Ingleside, Chief Burr has been one of the best Chiefs that Ingleside has ever had. She claims that the Chief is always honest and always presents a positive attitude. Community involvement has been at an all-time high under the Chief's direction.

Savannah Knox stated in an email that she is a certified crime scene analyst who worked for the City of Ingleside and would like to see a change in Administration for the Police Department. She spoke about the conditions of the Police Department and lack of funding for that department. Her observation was that the Police Department ran independently from the other Departments and often missed out on awards and other City functions, holidays, or gifts. She stated that leadership in the City is corrupt. Several examples were given from her perspective. She said that she believed retaliation was used against her and resigned.

Marita Matlock stated in an email that Chief Burr has been the best Police Chief for the City of Ingleside in the last 20 years. She believes that this situation was handled poorly and an apology is in order.

Carey Dietrich stated in an email that she is the former Building Official for the City of Ingleside and that she worked for the city for almost 20 years. She said that under the leadership of Chief Burr the sense of community is the best it has ever been. She stated that in her 20 years she has seen several Chiefs come and go. Dietrich believes that Chief Burr created programs to fill the needs of the community. She believes that the current management staff has treated Chief Burr poorly.

Cindy Wilson, 2635 San Angelo, congratulates the Council on the recognition received on the state floor in Austin. She also stated that limestone or asphalt needs to be put back into her driveway to be repaired. She has asked for this from Council several times now. She understands that repairs may get done on Mustang Ave. She would like to thank the Police Department for escorting the students out of town for sports. She understands project graduation came to the city for use of the pool and were told no. She stated the pool has been used for 40 plus years for project graduation. She said it was the safest place for our kids on graduation night. She hopes we will look at the policies about city uniforms and when and where they are worn during off duty time.

Linda Timmerman, 1702 Indian Trail, addressed the Council about National Night Out and other events that Chief Burr has brought to this community are good, but on the morning of September 30, 2022 police came to her house for a hospice death. The hospice employee didn't have the correct phone number for the hospice office. They called the PD to get the phone number for the JP to declare the death. Instead, the Police Department came out and preformed a suspicious death call and treated the deceased as a crime scene. Timmerman stated that her husband was disgraced by the Chief's protocol. The protocol took away her last moments to say goodbye. She stated that the Police should never have been at the house that night and other citizens have had the same experience.

Kelly Bazemore, 2498 Poinsettia Place, addressed the Council about an incident of three (3) stray dogs not contained and she was bit on the left foot. She said Animal Control met her at her house and asked her where the blood was from the bite. She was told this was not a bite. She asked about the status of the vaccinations of the dog. She still doesn't know the status on the dog.

Shannon Narsh, 7710 Moritz Lake Corpus Christi, addressed the Council about Chief Burr and said that their time to mourn her father was cut short by her officers treating the scene like a crime without any apology. She said that her child is now terrified of cops due to the situation. She spoke about how she believes the programs were not introduced by the Chief but were events that were already in place.

John Shack, 2501 Henrietta, addressed the Council about the fake facebook account that posted with a fake name about the city. The charter states that the Council will not interfere with the duties of the City Manager. He stated that he served on Council for 10 years. City policies have not been followed when it comes to hiring. The policy states that we hire from within. This policy was not followed when hiring the Police Chief. He stated the policy of hiring within is used selectively when it meets someone's agenda. He said we

have a Police Department that has no problem taking away an elected officials 1st Amendment of speech.

Courtney Shane, 2181 Capehart Street, addressed the Council and said she was an advocate for freedom of speech. She spoke about how she believes the most recent post on the local Ingleside Community Facebook page was directed at her anonymously, how the city police officers had taken direct orders from the previous Mayor which she believes is inappropriate by allowing an elected official to take authority over the City staff to get personal issues handled, how she just wants more civil conversations instead of name calling. She said, that as patriots, we should have the ability to disagree and still have a conversation about it. She also stated that taxes are out of control, debates are welcome, and she will not be silent just because the Chief is watching the comments on the Facebook page. Things happened with the past Mayor that the Chief allowed to happen and that is a personal lap dog and this should not be allowed to happen.

6. **Staff Comments and Reports**

The Council may discuss any subject which is specifically listed under this item.

- a. City of Ingleside monthly financials.
- b. City of Ingleside expenditures paid over \$3,000.00 for the period of February 20, 2023 through March 19, 2023.

No comments by Council or Staff were presented.

7. **Council Comments and Reports**

The Council may discuss any subject which is specifically listed under this item.

No Council Comments and Reports presented for this meeting.

Presentations

8. **Proclamation to recognize the Ingleside High School BBQ Team.**

Mayor Adame removed this item from the agenda, since the BBQ Team was not present.

City Manager Lewis stated to the Council he would reach out to the school principal again to request a presence for the next meeting.

9. **Presentation to recognize City elected officials and employees for their longevity with the Ingleside Volunteer Fire Department.**

City Manager Lewis introduced Fire Chief Miller to recognize the longevity of employees with the Volunteer Fire Department.

Fire Chief Tom Miller stated that he wanted to thank the following individuals for their dedication and commitment to the City of Ingleside: Elizabeth Staton for 10 years, John Witt for 16 years, Robert Vana for 23 years, and Mayor Pedro Oscar Adame for 37 years.

10. **Presentation to recognize Ingleside Development Corporation.**

Mayor Adame presented Teresa Flores, President of the Board of Directors for Economic Development, with an award for economic excellence.

Flores stated that this was accomplished by the whole Economic Development Board and Director.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of the items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

11. Deliberate and take appropriate action on Regular City Council Meeting Minutes of February 28, 2023.

Motion: Council Member Diehl made a motion to approve the Regular City Council Meeting Minutes of February 28, 2023. Council Member John Salinas seconded the motion. Motion carries with all present voting in favor.

Council Member Diehl addressed Mayor Adame and asked for the Executive Session to be moved down. Mayor Adame requested the Executive Session to be tabled for the next meeting.

City Manager Lewis stated that he had requested for the Personnel Matters Restructuring to be moved to the next meeting.

Executive Session

12. Closed Session

City Council will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- a. **Section 551.087 Deliberation regarding Economic Development Negotiations – Update on ongoing industry and retail negotiations**
- b. **Section 551.074 Personnel Matters – Restructuring**

Motion: Mayor Adame made a motion to Table the Executive Session until the next meeting. Council Member Diehl seconded the motion. Motion carries 6:1.

For Motion: Council Member Diehl, Council Member Pruitt, Council Member John Salinas, Mayor Pro-Tem Long, Council Member Julio Salinas, and Mayor Adame.

Against Motion: Council Member Wilson

Mayor Adame stated the items were not ready and he didn't want to put the items on the agenda until they were ready to present. He stated that this was not part of the closed session. Council Member Wilson said he had expected this to be on the agenda.

Council Member Diehl stated that he wanted to see the audit on the projects themselves.

Council Member Wilson addressed the Mayor and stated that the reason he voted No was That he believed the Council was supposed to have all the information on the Ball Parks, Faith Park, and Garden Center and the financials for them.

13. Open Session

City Council will reconvene in Open Session at which time action on the matter(s) discussed in Closed Session may be considered.

- a. **Section 551.087 Deliberation regarding Economic Development Negotiations – Update on ongoing industry and retail negotiations**
- b. **Section 551.074 Personnel Matters – Restructuring**

Executive session was tabled and no action taken.

Public Hearing

The City Council shall call a public hearing on each item below in this section. Any person wishing to address the City Council on these items should please come forward when that public hearing is called.

At 7:32 p.m. Mayor Adame closed the Regular Council Meeting and opened the Public Hearing.

14. **Conduct a Public Hearing on an application filed by Jordan McKennon to rezone the hereinafter described property from its present classification of R-1 (Single-Family Residential) to C-2 (General Commercial): Property ID# 71906 LOTS 44 THRU 48 BLK 19 R J WILLIAMS.**

Interim Building Official, Gene Delauro, addressed the Council and stated that the applicant withdrew their rezoning application. Applicant has decided not to pursue the rezoning request for this property.

Discussion was held between the Council and staff about the signs for rezoning, the size of the signs to be visible, the boundary size, and super majority.

Mayor Adame stated this was a dead issue as it was withdrawn.

At 7:45 p.m. Mayor Adame closed the Public Hearing and opened the Regular Council Meeting.

Regular Agenda

15. **Deliberate and take appropriate action on first reading of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: Lots 44 thru 48, BLK 19, R J Williams**

Mayor Adame stated that Item 15 was a dead item and moved to Item 16.

No action taken.

16. **Deliberate and take appropriate action on a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointing of members to the Planning and Zoning Commission.**

Interim Building Official, Gene Delauro, addressed the Council about an applicant withdraw their application to become a member of the Zoning Commission. The updated Resolution has been changed to reflect the changes. Resolution recommending appointment of Cynthia Wilson for Place No. 7 with a term starting today March 28, 2023 and running through 2024.

Motion: Mayor Adame made a motion to accept Resolution 2023-13, a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointing of members to the Planning and Zoning Commission. Council Member Pruitt seconded the motion. Motion carries with all present voting in favor. Resolution 2023-13

At 7:51 p.m. Mayor Adame left the dais.

17. **Report on Inflow & Infiltration in the sanitary sewer system and the lift station capacities.**

City Manager Lewis addressed the Council and introduced Director of Infrastructure Services Paredes who gave a background report on inflow and infiltration (I&I).

At 7:53 Mayor Adame returned to the dais.

Discussion was held between the Council and the Staff about potential new developments coming in and not being added to this report, daisy chaining, critical status, Ingleside being handled by three (3) lift stations, out of compliance with design criteria, current flow charts, plan to correct the problems, smoke testing, assessing the problem, wear and tear on the pumps and solutions, 35 residences flowing into IOB Lift Station, and overflow when it rains.

18. **TABLED 03/14/2023 Deliberate and take appropriate action to authorize the Mayor to sign a termination request letter for EDA Grant No. 08-79-05254 on State Hwy 206 and Emory Bellard Ditch Outfall Improvements.**

City Manager Lewis addressed the Council about additional information on the termination letter to be sent to EDA. EDA is not giving the city a written notice to terminate the project, because they are trying to avoid this counting against the city. They are giving the City an opportunity to withdraw on own accord. There is a letter from Lynette Barker, previous City Manager, concerning the December 8, 2021, condemnation. History is there that TxDot did pursue it and within the grant itself it said that if there is any condemnation pursued then the EDA would not release the funding to the city.

Discussion was held between the Council and Staff about citizens not paying 4 million dollars, no obligations for State Hwy 200, State Hwy 200 is only an advancement for the industry and not for the city, risks to the city, industry should pay for it, taking heavy traffic off city roads, withdrawing from this grant would allow the city to go out for other grants, if EDA has to cancel the grant it would put a black mark towards the city, money spent that would have been reimbursed, possible legal issue, negotiations with TxDot to get State Hwy 200 now, TxDot has the easements, and grant being dead due to allowing TxDot to do eminent domain.

Motion: Council Member Pruitt made a motion to authorize the Mayor to sign a termination request letter for EDA Grant No. 08-79-05254 on State Hwy 200 and Emory Bellard Ditch Outfall Improvements. Council Member John Salinas seconded the motion. Motion carries 4:3.

For Motion: Council Member Pruitt, Council Member John Salinas, Council Member Julio Salinas, and Mayor Adame.

Against Motion: Council Member Diehl, Council Member Wilson, and Mayor Pro-Tem Long.

19. Announcements of Community Interest and/or upcoming events.

- a. Flashlight Egg Hunt March 31, 2023
- b. State of the State Luncheon Corpus Christi April 03, 2023
- c. Scrabble Tournament for Literacy Portland April 21, 2023
- d. Trashion Fashion Show April 22, 2023
- e. State of the Port Luncheon Aransas Pass April 27, 2023
- f. Nueces Basin Summit Portland June 21-23, 2023
- g. Ingleside Fire Rescue Golf Tournament Sinton June 24, 2023

20. Items to consider for placement on future agendas.

Council Member Diehl requested to have the IOB Contract on next Agenda, Animal Control mold update and contract for current building, and an Executive Session to address update for Charter on Personnel issues within 33 days.

Council John Salinas request to have the BBQ Team to be in attendance next meeting.

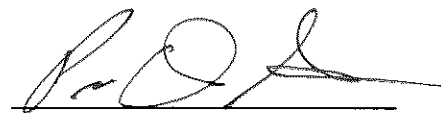
Council Member Diehl requested staff to look at the statement on the website regarding submission and limit them to three minutes.

Mayor Adame stated each citizen request must have a name and address, or it will not be read.

21. Adjourn.

Mayor Adame adjourned the Regular City Council Meeting at 8:48 p.m.

APPROVED:



Pedro Oscar Adame, Mayor

ATTEST:



Jana Stork, Assistant City Secretary