

## MINUTES

### REGULAR CITY COUNCIL MEETING

June 10, 2019 at 6:00 p.m.

**1. Call to order.**

Mayor Danner called the meeting to order the meeting to order at 6:00 p.m.

**2. Quorum check.**

Mayor James W. Danner, Sr., Mayor Pro Tem John McAnelly, Councilman Eric Torres, Councilman John E. Villa, City Attorney Jessie Lopez, City Secretary Miguel Cantu

**Absent:** Council Person Ann-Michelle Long, Councilman Bobby Vela, City Manager Kim Davis

**Staff:** Assistant Finance Director Dee Willman, Director of Aviation Ryan Elder, Economic Development Director Genevieve Flores, Public Works Director Michael Schmidt, Hondo Police Department Chief Brian Valenzuela, Hondo Police Officer Lt. Rick Garza, Water Superintendent William "Buddy" Stewart, City Planner II Lora Robbins, Code Enforcement Supervisor Joseph Ramon,

**3. Invocation by Mayor Pro Tem McAnelly**

**4. Pledge of Allegiance led by Mayor Danner**

**5. Citizens' Comments**

Chavel Lopez, 1401 14<sup>th</sup> Street, Hondo Empowerment Committee, mentioned that there was a water contractor working on 14<sup>th</sup> Street and Avenue O who tore up the street. The contractor filled the hole with base causing rocks to fly all over the place. He feels that the area is a thoroughfare and the city should force the contractor to repair the hole because he tore it up. Additionally, he added that the alleyways between Avenue A and Avenue B between 15<sup>th</sup> Street and 16 Street have not been cleaned. He stated that the weeds are about six feet tall. He recommended that if the city is short staffed in the Maintenance Department the city should hire more workers. He noticed that there are two city workers paving potholes one day and later noticed they are weed eating the following day. He feels that the citizens are not receiving the services they need. Mr. Lopez then addressed the Torres Park Restroom Project. The city is nine months into the budget and there are no restrooms at the park. Lastly, Mr. Lopez stated that he had received several text messages that the city had moved into the new Public Works buildings and no permits had been pulled and the City was not ADA compliant. He did not know what was going on and felt there should not be a double standard. The city should be compliant as well. He feels there should be an investigation regarding the buildings. Mayor Danner informed Mr. Lopez upon the return of the City Manager, he should visit with her and she can provide some responses on regarding his concerns.

Mr. Robert "Doc" Hall, 706 33<sup>rd</sup> Street, said he is a concerned citizen and addressed the Blue Line project.

He stated that he did not know where the project stood or how it was moving forward. He provided a general background that China's process had quite a bit of back sludge after the processing. He mentioned that the US would not dare to allow the process of that type of product in this country. The process is messy. Nearly as he could tell, Blue Line would use an oxalate acid and oxalate salt in the process. A comparable plant three times the size that is in Hondo is in Malaysia. He stated two weeks ago, the Prime Minister was in a political controversy that did cause a number of people not to be elected. There is another mine in Mountain Pass, California with some history. They have a much cleaner process than China, but were forced to close because they could not meet the China prices in 2003 and were threatened to be shut down by the EPA. The facility was reopened I 2011 and went bankrupt in 2015 under separate ownership. They

are constructing their processing facility somewhat like Hondo which is scheduled to open the same as Hondo. Mr. Hall concluded that he urges the Administration and City Council to monitor the facility. He is concerned about a fire at the facility, what kind of reagents would be used, what kind of chemicals and what volume. Mr. Chavel Lopez addressed Mr. Hall asking if there were any environmental health impacts. Mr. Hall answered that there were no issues in the United States but China had quite a few and could result in an outcome like Dickenson England only worse. Mr. William "Billy" Hoover, Anvil Reporter, Mr. Hall whether all radioactive material would be removed and if BlueLine would be receiving raw ore.

**6. Discuss and consider approving the minutes from May 13, 2019 regular meeting and May 15, 2019 special meeting.**

Mayor Pro Tem McAnelly moved to approve the minutes. Motion seconded by Councilman Villa. Motion carried 3-0.

**7. Public Hearing / Request for a Zone Change / Case P536-19. Request from the City of Hondo for rezoning of 0.579 acres of land situated within the Corporate Limits of the City of Hondo, in Medina County, Texas, being Lots 8, 9, and 10 Block 47, of the original Town of Hondo, a subdivision as shown on a plat thereof recorded in Volume 1 Page 127 of the Plat Records of Medina County, Texas (property located at the Southeast corner of 17<sup>th</sup> Street and Avenue D). The Current zoning for the subject property is Residential Three (R3) District. The property owner has requested that the zoning designation for the property be changed to Commercial (C) District.**

Mrs. Lora Robbins stated that the City is requesting a rezoning of 1705 avenue I which is currently zoned Residential, commonly known as the City of Hondo Utility Yard, Electric Division. The proposed zoning is Commercial (C) District. In the Master Plan the future is showing a Highway 90 Corridor. The city also owns another lot south of the proposed property; however, the property is already zoned Commercial. Mrs. Robbins stated that the purpose of a Commercial Zoning District is intended to permit a variety of service and retail uses. It is also designed as a transition district between industrial type uses and residential uses. Staff recommends approval of the rezoning request as submitted. This is taking into consideration the Future Land Use Plan in the City of Hondo's Master Plan, and consideration of the surrounding land uses and existing land uses on the subject property. The Planning and Zoning Commission recommended approval at their last meeting. Mayor Danner asked if the P&Z decision was unanimous and Mrs. Robbins stated that the vote was unanimous. Mayor Danner stated that the property is the Electric Property and the re-zoning request is so the city can prepare to sell the property as soon as the zoning change is approval.

Mayor opened the Public Hearing at 6:12 p.m.

Councilman Torres stated that the zoning should have been changed a long time ago. Mayor Danner agreed. Attorney Lopez asked Mrs. Robbins to indicate the number of notices that went out. Mrs. Robbins stated nineteen notices were mailed on May 8, 2019 and one response was received in favor.

Mayor closed the Public Hearing at 6:13 p.m.

**8. Discuss and consider Ordinance No. 1200-06-19, an ordinance of the City of Hondo approving the rezoning of Lots 8, 9, and 10, Block 47, of the original town of Hondo from Residential Three (R3) District to Commercial (C) District; declaring compliance with municipal zoning regulations, state law, public notice and hearing requirements, incorporating recitals; repealing ordinances or parts of ordinances in conflict; providing for severability and declaring an effective date.**

Councilman Torres moved to approve Ordinance 1200-06-19. Motion was seconded by Mayor Pro Tem McAnelly. Motion carried 3-0.

**9. Discuss and consider Ordinance No. 1201-06-19, an ordinance of the City of Hondo abandoning a 0.133 tract of land being a portion of an alley that runs east and west between Avenue M and Avenue N and lies south of 13<sup>th</sup> Street and 14<sup>th</sup> Street in the City of Hondo,**

**Medina County, Texas; retaining a utility easement; accepting appraisal as Fair Market Value for property; declaring a public purpose; incorporating recitals; providing a repealer; providing for severability and declaring an effective date.**

Mrs. Robbins stated that the City currently owns a twenty (20) foot wide alley, with water and wastewater utility lines running east and west between Avenue M and Avenue N and lying south of 13th Street and north of 14th Street. On May 17, 2019, Medina County submitted a written request to the City requesting that City convey the Property to the County for purposes related to construction of the Medina County Courthouse Annex Project. She added that the City of Hondo Code of Ordinances, Section 2.10.002 provides the requirements for closure, vacation, and abandonment of the right of way to a political subdivision, which include:s (1) submission of a written request; (2) payment of processing fee; (3) payment of fair market value for the property; (4) execution of an agreement setting out the fee and terms of conveyance; (5) an city council ordinance closing, vacating, and abandoning the public right of way. All these steps have been addressed and are scheduled to be addressed during this City Council meeting. The subject property has been appraised by Love & Associates Real Estate Consultants and Appraisers and a fair market value for the property was established by that appraisal to be \$6,000. The ordinance provides for the payment of fair market value for the subject property upon sale and transfer by separate agreement. Mrs. Robbins included in her presentation the metes and bounds of the property.

Mayor Pro Tem McAnelly asked if there were any utility easements on the property and will the city retain those easements. Mrs. Robbins stated that there are \*\*\* easements on the property but the pan is to abandon the easements oiin the future and relocate the lines. The purchase sale agreement presented to City Council allows the City to retain the easement until the utilities are moved. At that time a new easement would be given to the City at no additional cost. Councilman Torres asked if the City would be paying for any relocation. Mrs. Robbins stated that the City would not pay for the relocation. Mayor Danner stated that it did not appear that the City would be paying any costs including the appraisal.

Councilman Torres moved to approve Ordinance 1201-06-19. Motion seconded by Councilman Villa. Motion carried 3-0.

10. **Discuss and consider authorizing the City Manager to enter into a Purchase-Sale Agreement with Medina County for the sale of a 0.133 acre (5,800 s.f.) tract out of the CJ Bless Addition, commonly referred to as the alley property, of record in Vol. 37, Page 619, Deed Records of Medina County, Texas and being all of that tract of land between Lots 1-4, block 1, and Lots 5-8, Block 1 of said Bless Addition, Medina County, Texas, and authorizing the City manager to execute a Special Warranty Deed for the same under the terms of said Purchase-Sale Agreement.**

Mrs. Robbins stated the agenda referenced the same alley closure as the previous agenda. The Purchase Sale Agreement presented would be the actual agreement to sell and execute the Special Warranty Deed. Mayor Danner stated there was a copy of the appraisal for \$6,000 and provided in the City Council packet.

Mayor Pro Tem McAnelly moved to approve the Purchase Sale Agreement with Medina County. Motion seconded by Councilman Torres. Motion carried 3-0.

11. **Discuss and consider the recommended Commission and Boards' appointments.**

Mayor Danner stated that there was quite a number of appointments accumulated during the month. First, regarding the Planning and Zoning Commission the term of long time member and current Chairman William "Gizmo" Freeman expires this month and unfortunately due to term limitations, he cannot be considered for re- appointment. He has served the city in this position very capably and has been an excellent Chairman. To replace Mr. Freeman on the Commission, the Mayor asked the Council to consider Ms. Rose Mary Mares, Assistant Superintendent of Hondo Schools for the board appointment. Ms. Mares recently completed six years on the Library Advisory Board including a stint as Chairperson. Mayor Danner added that Mrs. Mares is not eligible for reappointment for the Library Board and is recommending her for an appointment to the Planning and Zoning Commission. Also, the term of Dr. Matthew Windrow

expires in July. Dr. Windrow is completing his first two years and is a very contributing member. Mayor Danner recommended his re-appointment. Regarding the City of Hondo Economic Development Board of Directors, Ms. Ashley Lowe, Vice President of the Medina Regional Hospital system and Mr. Ronnie Miller, President of the Community National Bank in Hondo both had terms which expired in May. Ms. Lowe has served on the board since May 2013 and Mr. Miller has served since September 2015. Both are diligent and knowledgeable members of the board and Mayor Danner recommended their re-appointments. Regarding the Airport Advisory Board, Mr. Brad Price is presently completing his first term on the board, having been appointed in May, 2017 and to Mayor Danner's best knowledge, has never missed a meeting. A retiree, he contributes much to the business of the board and Mr. Ryan Elder, Airport Director stated he is a good member. Mayor Danner recommended his re-appointment for an additional two-year term. Regarding the Animal Care Services Advisory Board, all five current members of this board, Chairperson Dawn Hoover, local Veterinarian Dr. David Galewsky, Justice of the Peace Clyde "Bubba" Howse, Ida Ortiz, an employee of the Hondo Attic and Storage, and animal activist Florestela Gonzales had terms that expired at the end of February. Mayor Danner recommend the re-appointments of Ms. Hoover, Dr. Galewsky, Judge Howse, and Ms. Ortiz. To replace Ms. Gonzales on the board, Mayor Danner recommended Ms. Adriana Sandoval, an employee of the Hondo Vet Clinic. Ms. Sandoval is a noted Animal Care Advocate and it is believed that she will be an excellent addition to the board. Regarding the Library Advisory Board, Mayor Danner stated that unfortunately, this board lost four members recently. The term of Ms. Rose Mary Mares, who has been a member since June 2013 and has served as Chairperson, expired in May. Ms. Estella Boone, who was appointed in July 2017, has moved out of the city and is no longer eligible as a board member. Two of the members of the board, Dr. Richard Rowland, appointed in July 2017, and Mr. David Perez, appointed in July 2016, have become ineligible because of non-attendance at meetings. Both Dr. Rowland's and Ms. Boone's terms expire in July and Mr. Perez's term expires in April 2020. To replace Ms. Mares, Mayor Danner recommended the appointment of Hondo citizen Mike Beard, a correctional officer, for a full term of two years expiring in July 2021. To replace Dr. Rowland, Mayor Danner recommended Ms. Tara Mumme, a recent Hondo U graduate and a local bank employee. Her term will also be two years to expire in July 2021. To replace Mr. Perez, Mayor Danner recommend Mr. Tony Ortiz, a retired Medina Electric employee, and he will serve out Mr. Perez's term, which expires in April 2020. For the last replacement, to fill out Ms. Boone's term, Mayor Danner recommended Justin Myers. Mr. Myers owns and operates a restaurant in Hondo and has indicated interest in the continued success of the City's library. His term will expire in July 2021. In addition, two other current members Heather Connell, a school teacher and Terry Ramirez will complete their first two year terms on the Library Advisory Board which expire in July and Mayor Danner recommended their reappointment. Mayor Danner asked City Council to consider his recommendations for appointment for action. Councilman Villa asked if Mrs. Gonzalez did not want to be reappointed to the Animal Care Services Advisory Board. Mayor Danner stated that unfortunately he was informed by staff that Mrs. Gonzalez did not perform like he would like she should on the board

Councilman Villa moved to approve the Commission and Board appointments. Motion seconded by Mayor Pro Tem McAnelly. Motion carried 3-0.

12. Executive Session: The City Council of the City of Hondo may convene in Executive Session in accordance with the Texas Open Meetings Act, Texas Government Code, *Section 551.071* (Consultations with Attorney) on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly requires discussion in closed session); Pending or contemplated litigation; *Section 551.072* (Deliberations about Real Property); *Section 551.087* (Deliberations Regarding Economic Development Negotiations)
  - a. Discussion regarding potential lease, purchase or value of real property.
  - b. Discussion regarding potential lease/sale of property located at the South Texas Regional Airport.

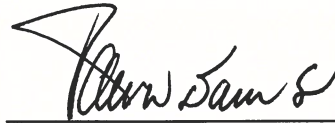
**13. Discuss and consider appropriate action resulting from Executive Session.**

No executive session.

**14. Adjourn.**

Councilman Torres moved to adjourn the meeting at 6:24 p.m. Motion seconded by Mayor Pro Tem McAnelly.

**PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF JUNE 2019.**



**JAMES W. DANNER, SR., MAYOR**

**ATTEST:**



**Miguel Cantu, City Secretary**



