

City Council

Public Hearing & Regular Meeting

October 1, 2012

The following were present: Mayor Charlie Brown; Mayor Pro Tem Fred Jones; Council Members Tommy Ewing, Kevin Schkade, and Gene Parker, and Joel Lopez; City Attorney Michelle Weiser, City Manager Ricky Jorgensen, and City Secretary Jessica Graefe.

I. Call to Order

Mayor Brown called to order the regular meeting of the City Council at 7:00 p.m. on Monday, October 1, 2012, at the Giddings Municipal Building.

II. Pledges to the US and Texas Flags

Boy Scout, Hunter Pleasant led the pledges of allegiance to the U.S. and Texas flags.

III. Invocation & Welcome

Council Member Kevin Schkade gave the invocation and Mayor Brown welcomed the visitors.

IV. Citizens' Comments

No comments.

V. Consent Agenda

Mayor Pro Tem Fred Jones motioned, seconded by Council Member Tommy Ewing, to approve items under the consent agenda:

- a) Minutes of the special meeting held September 17, 2012.

Motion carried by the following vote:

AYE: five

NAY: none

VI. Public Hearing

Mayor Brown opened the Public Hearing at 7:04 p.m., to hear public comments on the conditional use permit application filed by Lawrence Williams, that Block 275, Lot 10 (800 S. Caldwell) of the City of Giddings Riddins Survey to allow a new manufactured home for a residential homestead.

With no comments, Mayor Brown closed the Public Hearing at 7:05 p.m.

VII. New Business

- a) Spencer Schneider, Code Compliance Official spoke regarding the recommendation from the Planning & Zoning to deny the request for the conditional use permit application filed by Lawrence Williams, that Block 275, Lot 10 (800 S. Caldwell) of the City of Giddings Riddins Survey to allow a new manufactured home for a residential homestead.
Council Member Kevin Schkade moved to accept the recommendation from the Planning & Zoning to deny the request from Lawrence Williams. The motion was seconded by Council Member Gene Parker.

Motion carried by the following vote:

AYE: five

NAY: none

b) Council Member Gene Parker moved to approve Ordinance No. 675 authorizing certain officers to enforce the City of Giddings Code of Ordinances Federal and State Law, and to issue citations for violations. The motion was seconded by Council Member Kevin Schkade. Motion carried by the following vote:

AYE: five

NAY: none

CITY OF GIDDINGS, TEXAS
ORDINANCE 675

AN ORDINANCE AUTHORIZING CERTAIN OFFICERS TO ENFORCE THE CITY OF GIDDINGS CODE OF ORDINANCES AND FEDERAL AND STATE LAW AND TO ISSUE CITATIONS FOR VIOLATIONS THEREOF; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Giddings Code of Ordinances and federal and state laws are established to safeguard the health, safety and welfare of the citizens; and

WHEREAS, Texas Local Government Code Chapter 51 allows for the designation by ordinance of code enforcement officers, animal control officers, or other designated city employees to issue citations for code violations; and

WHEREAS, the City Council recognizes that the health, safety and welfare of the citizens of Giddings are protected by Public Safety Officers, Code Enforcement Officers/Officials, Animal Control Officers, Building Officials and Fire Marshals; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens of Giddings to authorize certain officers of the City, in addition to Public Safety Officers, to issue citations for violations of the Code of Ordinances and federal and state law within the jurisdiction of municipal court;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIDDINGS, TEXAS:

Section 1. Enforcement

That the ordinances of the City of Giddings, Texas and the laws of the state of Texas and of the United States shall be enforced by Public Safety Officers, Code Enforcement Officers/Officials, Animal Control Officers, Building Officials and Fire Marshals of the City of Giddings, Texas and each shall have the authority to issue citations for any violation within the jurisdiction of the municipal court thereof.

Section 2. Severability

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 3. Effective Date

This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof.

Passed and approved by the City Council of the City of Giddings, Texas this the 1st day of October, 2012.

Charlie Brown, Mayor

ATTEST: Jessica Graefe, City Secretary

c) Mayor Pro Tem Fred Jones moved to instruct city staff to draft an ordinance for a budget amendment to the judge and associate judge's salary with a 6% and \$100 increase (\$2,400.00). The motion was seconded by Council Member Joel Lopez. Motion carried by the following vote:

AYE: five

NAY: none

d) Chief of Police requested approval to remove a very old "No Truck Parking" sign located on Orange Street between East Austin Street and East Hempstead Street. Died due to lack of a motion.

Chief of Police requested to formally ratify "Stop" signs on West Columbus Street for west bound and east bound traffic at the intersection of South Navarro Street. The Four-Way stop greatly improves safety for children loading and unloading from school buses in the immediate vicinity of this intersection. Chief also requested to ratify the erection of four "Stop" signs at the intersection of North Burleson Street and West Washington Street. "Requiring all traffic to stop at this intersection will improve the safety of small children at Martin Luther Day Care as well as improve safety for pedestrians and motorists from Martin Luther Lutheran Church.

Council Member Gene Parker moved to approve the ratification of "Stop" signs. The motion was seconded by Council Member Kevin Schkade. Motion carried by the following vote:

AYE: five

NAY: none

e) Mayor Pro Tem Fred Jones moved to approve engineering agreement between O'Malley and the City for the 2012 Utility relocations funded through the Texas Capital Fund and authorize the Mayor to sign. The motion was seconded by Council Member Tommy Ewing. Motion carried by the following vote:
AYE: five
NAY: none

f) Discuss City of Giddings, Texas, General Obligation Refunding Bonds, Series 2006 for the amount of \$5,000, was removed from the agenda.

g) No formal action was taken regarding a nomination for a representative to the executive committee of CAPCOG.

h)) Mayor Brown called the Council, City Attorney, and City Manager into Executive Session at 7:56 p.m., to deliberate the evaluation and duties of the City Manager in accordance with the Open Meetings Act, Government Code, Section 551.074. Mayor Brown reconvened the Open Session at 8:05 p.m., and stated that no action was taken in Executive Session.

i) No action was taken on Agenda item h (Action on Executive Session item).

VIII. Adjournment

Mayor Brown adjourned the meeting at 8:10 p.m.

Minutes submitted by: Jessica Graefe, City Secretary

Minutes approved by: _____