

# ***City Council***

## ***Regular Meeting***

**September 17, 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, September 17, 2012, at the Giddings Municipal Building.

### **II. Pledges to the US and Texas Flags**

Boy Scout, William Bennett led the pledges of allegiance to the U.S. and Texas flags.

### **III. Invocation & Welcome**

Mayor Pro Tem Fred Jones gave the invocation and Mayor Brown welcomed the visitors.

### **IV. Citizens' Comments**

Jeffrey Zgabay introduced Andre Higgins as the new employee for the street department.

### **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 4, 2012.

Motion carried by the following vote:

AYE: five

NAY: none

### **VI. Public Hearing**

Mayor Brown opened the Public Hearing at 7:05 p.m., to hear public comments on the proposed tax rate (0.5068 per \$100 valuation) for FY 2012-2013.

With no comments, Mayor Brown closed the Public Hearing at 7:06 p.m.

Mayor Brown opened the Public Hearing at 7:06 p.m., to hear public comments regarding the possible submission of a 2013-2014 Community Development Fund grant application to the Texas Department of Agriculture/Office of Rural Affairs.

With no comments, Mayor Brown closed the Public Hearing at 7:08 p.m.

### **VII. New Business**

c) Council Member Kevin Schkade moved to award bid for the 2012 Seal Coating/Paving Project to F.N. Ploch Construction. The motion was seconded by Council Member Gene Parker. Motion carried by the following vote:

AYE: five

NAY: none

a) Mayor Pro Tem Fred Jones moved to approve Resolution #306-2012 authorizing submission of a 2013-2014 Community Development Fund grant application to the Texas Department of Agriculture/Office of Rural Affairs, and committing matching funds. The motion was seconded by Council Member Tommy Ewing. Motion carried by the following vote:

AYE: five

NAY: none

CITY OF GIDDINGS, TEXAS  
RESOLUTION 306-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIDDINGS, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR COMMUNITY DEVELOPMENT FUNDS; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.

WHEREAS, the City Council of the City of Giddings desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Giddings to apply for funding under the Texas Community Development Block Grant;

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

1. That a Texas Community Development Block Grant application for Community Development Funds is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$275,000.00 of grant funds to carry out construction, engineering and project administration.
4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant.
5. That the City commit \$41,250 from its General Fund as a cash contribution to be matched with Texas Community Development Block Grant Funds to be used for construction engineering and project administration.

Passed and approved this 17th day of September, 2012.  
Charlie Brown, Mayor

Attest: Jessica Graefe, City Secretary

b) Council Member Joel Lopez moved to approve TxDOT CCSJ No. M314GIDNG Grant for Routine Airport Maintenance Program between the City of Giddings, Lee County and the Texas Department of Transportation and authorize the Mayor to sign. The motion was seconded by Mayor Pro Tem Fred Jones. Motion carried by the following vote:

AYE: five

NAY: none

d) Council Member Gene Parker moved to approve Ordinance #674 amending section 14.02.005 by adding the definition for "Public Facility". The motion was seconded by Council Member Kevin Schkade. Motion carried by the following vote:

AYE: five

NAY: none

**ORDINANCE NO. 674**

**AN ORDINANCE OF THE CITY OF GIDDINGS, TEXAS, PROVIDING THAT SECTION 14.02.005 OF THE CODE OF ORDINANCES, CITY OF GIDDINGS, TEXAS, BE AMENDED BY ADDING A DEFINITION OF PUBLIC FACILITY.**

**WHEREAS**, Chapter 14 of the City of Giddings Code of Ordinances contains the Zoning Ordinances of the City of Giddings; and

**WHEREAS**, the City of Giddings has determined that a definition of "public facility" should be added to Chapter 14;

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

Section 14.02.005 (c) of the Code of Ordinances of the City of Giddings, Texas, be amended, to include the following definition where it belongs alphabetically:

**Public Facility.** Any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

**Effective Date**

This Ordinance is effective immediately upon signing.

**Severability**

In the event that any one or more of the provisions, clauses, or words of this ordinance or the application thereof to any situation or circumstance shall for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provisions, clauses, or words of this ordinance or the application thereof to any other situation or circumstance and it is intended that this ordinance shall be severable and that it shall be construed and applied as if such invalid or unconstitutional clause, section, provision, or word had not been included herein.

**Inclusion in Code of Ordinance**

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Giddings, Texas, as an addition, revision, or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**PASSED, APPROVED, AND ADOPTED** this the 17th day of September, 2012.

CITY OF GIDDINGS, TEXAS

Charlie Brown, Mayor

Attest: Jessica Graefe, City Secretary

e) Council Member Kevin Schkade moved to approve the 2012 proposed Appraisal District Budget. The motion was seconded by Council Member Tommy Ewing. Motion carried by the following vote:

AYE: five

NAY: none

f) Council Member Tommy Ewing moved to accept the general utility easement from Bobby and Wanda Elliott. The motion was seconded by Mayor Pro Tem Fred Jones. (*filed at CountyClerks vol. \_\_\_\_\_ pg. \_\_\_\_\_*) Motion carried by the following vote:

AYE: five

NAY: none

g) Mayor Pro Tem Fred moved to approve Ordinance #672 adopting the City Budget for FY 2012-2013 with the following changes:

1. Judges and Associate Judges salary for \$100/month with no 6% COLA.
2. Reduce golf course payment to the electric fund by \$15,000
3. Reduce the following line items by 25% from 2010-2011 actual budget:

	2010-2011 Actual	Reduced by 25%	
20 6632 Combined Community Action	4,950	3,712.50	3,713 (rounded up)
20 6633 Family Crisis Center	1,800	1,350	
20 6637 CARTS	4,500	3,375	
20 6638 Children's Advocacy Center	1,800	1,350	
20 6639 Lee County Heritage Society	4,500	3,375	
20 6640 Lee County Express	3,150	2,362.50	2,363 (rounded up)
20 6641 CASA	1,350	1,012.50	1,013 (rounded up)
20 6642 Central Texas Youth Football	2,250	1,687.50	1,688 (rounded up)
20 6643 GVFD	3,000	2,250	

**VIII. Adjournment**

Mayor Brown adjourned the meeting at 8:36 p.m.

Minutes submitted by: Jessica Graefe, City Secretary

Minutes approved by: \_\_\_\_\_