

# Regular Meeting-Giddings Charter Review Committee

Thursday, January 16, 2025 at 7:00 p.m.

## 1. Call to Order.

The meeting was called to order by Vice Chair John Simmang at 7:01 p.m.

Present Board Members: Chair John Dowell, Vice Chair John Simmang, Lisa Petzold, Crystal Scott, Randie Maass, John Dowell, Kristin Schumann, Not Present: Julie Nitsche.

Staff Present: City Attorney Tyler Stevens, City Secretary Andrea Ray, Giddings Library Director Jessie Akins, Municipal Court Clerk Rachel Grube.

## 2. Discussion and take action regarding the Charter Review Committee Minutes from Thursday, December 19, 2024.

A motion was made to by Charter Review Committee member Randie Maass and seconded by Charter Review Committee Member Crystal Scott to approve the Charter Review Committee Minutes for the meeting held on Thursday, December 19, 2024.

Motion carried by the following vote:

Ayes: Charter Review Members: Simmang, Petzold, Scott, Maass, Schumann,

Nays: None

## 3. Discussion/action regarding review of the City of Giddings Charter.

Charter Review Committee Vice Chair John Simmang started the discussion on Section 5. Conflict of Interest. City Attorney Tyler Steven advise the Charter Review Committee, this is a State Law falls under the 171 Code. No change will be made on this Section 5. Conflict of Interest.

Page C-5 Section 6 Forfeit-

Charter Review Committee Chair John Dowell had a question on should this be for the G.V.F.D, E.M.S, G.E.D.C. as well. City Attorney Tyler Steven advise the Charter Review Committee, this is a State Law. No change will be made on this Section 6 Forfeit.

Charter Review Committee Chair John Dowell joined the meeting at 7:15 and Vice Chair John Simmang passed the duties to him.

Page C-9 Section 4 Absence or Disability of City Manager

Charter Review Committee Member Randie Maass asked can we clarify what is an absence for the City Manager. City Attorney Tyler Steven advise the Charter Review Committee, that City Council determines Section 4 Absence or Disability of City Manager case by case.

No change will be made on this Section 5. Conflict of Interest.

Page C-12 Section 2 Eminent Domain

Charter Review Committee Chair John Dowell stated the sentence highlighted needs words changed the (one-word **fee**) stated it doesn't make sense. The section may need to be cleaned up for the right wording. City Attorney Tyler Steven advise the Charter Review Committee, to add **fee simple** to the charter. The Charter Review Committee would like add simple fee to the Charter Section 2 Eminent Domain. The change will be a recommendation.

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### Page C-14 Section 6 Water & Sewer

Charter Review Committee Randie Maass asked about the Section 6 can this be changed the same as Section 7 Water & Sewer.

City Attorney Tyler Steven advise the Charter Review Committee, to remove the wording in red from the Charter on Section 6 Water & Sewer.

The City shall have the power to provide for a water and sanitary sewer system, **and to require property owners to connect their premises with such water and sewer system: to provide for fixing penalties for failure to make sanitary sewer connections; to provide rules and regulations for the collection of charges for the use of the water and sanitary sewer system.** The change will be a recommendation.

### Page C-15 Section 10 Lands and Other Properties

Charter Review Committee Vice Chair John Simmang had a question what does this mean for the City of Giddings? Charter Review Committee Chair John stated this is in the charter so the City of Giddings may sell or purchase land in the City. Charter Review Committee Chair John gave example of: City does sell alleys to homeowners. City Attorney Tyler Steven asked the Charter Review Committee if clarification was made on question Vice Chair John Simmang had. Charter Review Committee Vice Chair John Simmang stated this was made clear and all questions have been answered. No change will be made on this Section 10 Lands and Other Properties.

### Page C-15 Section 13 Airport

Charter Review Committee Member Julie Nitsche ask could we put more information into the airport part of the charter. Julie will ask for advice from a member on the board. City Secretary Andrea Ray stated she would do research on the on-airport information and get back with Charter Review Committee Julie Nitsche. City Secretary Andrea Ray stated no other information needed to be added to the, Section 13 Airport. The City of Giddings Charter states that the City has Airport oversees the operations. No change will be made on this Section 13 Airport.

### Page C-23 Section 1 Fiscal Year

Charter Review Committee Chair John Dowell asked for this section to remove **succeeding** maybe clean up the wording. City Attorney Tyler Steven advise the Charter Review Committee to remove **next**, Section 1 Fiscal Year The fiscal year of the City shall begin on the first day of October and shall end on the 30<sup>th</sup> day of September of the **next** succeeding calendar year. Such fiscal year shall constitute the budget and accounting year. The change will be a recommendation.

### Page C-26 Section 2 Procedure

Charter Review Committee Chair John Dowell asked can this section needs be cleaned up and wording different and maybe do (a.b.c.) for a list to break it down to be better understood.

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City Attorney Tyler Steven advise the Charter Review Committee to change the following wording in red to add to the Charter and the blue would be removed from the Charter. Note the Mayor and City Council will have to adopt this by ordinance. The change will be a recommendation.

## Section 2. PROCEDURE.

The Mayor or any three (3) Councilpersons may call special meetings of the City Council at any time deemed advisable, after due notice to all members, including the Mayor. The Council shall, **by ordinance**, determine its own rules and order of business and the rules shall provide that citizens of the City shall have reasonable opportunity to be here at any meeting in regard to any matter under consideration. **The Council and** shall keep a journal of its proceedings in a permanent bound book, and any citizen shall have access to the minutes and records thereof at all reasonable times. **The Mayor Pro Tem and any three (3) members of the Council shall constitute a quorum for the transaction of business and the affirmative vote of three (3) members of the Council shall be sufficient and necessary to adopt or repeal any ordinance or resolution.** All members of the City Council present at a meeting shall vote upon every question, ordinance or resolution either "yea" or "nay" which shall be entered on said journal. Any Councilperson refusing to vote shall be entered on the journal and counted as voting in the affirmative, except were disqualified from voting under state law. Every ordinance or resolution passed by the City Council shall be signed by the Mayor or in his or her absence by the Mayor Pro Tem, and such ordinance or resolution shall be attested by the person acting as City Secretary, and the seal of the City impressed thereon within ten (10) days after its passage, but such ordinance or resolution shall not be invalidated merely because the signature of either of such officers shall be lacking or the failure to impress the City seal on the same. (Amended by electorate 4/7/84)

## NO ACTION TAKEN

### 4. Adjournment:

A motion was made by Charter Review Member Randie Maass and seconded by Charter Review Vice Chair John Simmang to adjourn the meeting.

Motion carried by the following vote:

Ayes: Charter Review Members: Simmang, Petzold, Scott, Nitsche, Maass, Schumann, Nitsche  
Nays: None

Charter Review Committee Chair John Dowell adjourned the meeting at 7:51 p.m. on Thursday, January 16, 2025.



Andrea Ray, City Secretary



John Dowell, Chair Charter Review Committee