

Regular City Council Meeting - Minutes

1. **Call Meeting to Order:** The meeting was called to order at 7:00 p.m.
2. **Roll Call:** Assistant to the City Secretary Brenda Dennis provided the roll call with Mayor Williams, noting a quorum of the following Council members Present: 1) Council Member Joyce Wolfe, 2) Council Member Kim Schlichting, 3) Council Member Beverly Felts. *Council Member Mike Hale and Mayor Pro-Tem Erika Gonzales were absent.*
3. **Opening:** Pledge of Allegiance US Flag and Texas Flag, and Invocation. The Pledges of Allegiance to the US Flag and Texas Flag, and Invocation were performed. The Invocation was led by Jeff Schlichting.
4. **Comments:**
 - a. **Mayor Comments** – Mayor Walt Williams stated that before we get to the announcements and adjournment section of the agenda, he would like the Council to think about a good date to schedule a work day for general maintenance around City Hall.

Mayor Williams also stated that the Northeast Partnership pushed the City of New Berlin to host their workshop meeting this month. The meeting will be held on Wednesday, April 26, 2023 at E L Cowboys Mexican restaurant at 6:30 p.m., any member of Council wishing to attend please let him know.
 - b. **Fire Chief Comments** – Fire Chief Strey stated that they have had 111 calls so far this year, he has been attending several meetings. They are on the cusp of completing several projects. A new First Responder Vehicle is on the way to them, they are working on their new Brush Truck. Chief Strey reminded the Council of their upcoming July fundraiser, 2nd Saturday – July 8, 2023 – look out for the flyers and Fire Fighters coming to your door. Been blessed with rain recently, grass is green, and they are not responding to many grass fires.
 - c. **City Marshal Comments** – Marshal Hatcher provided his activity report for March 21 through April 17, 2023.
 - 35 total events, 18 stops, 15 citations issued, 19 warnings issued, 3 calls for service – 1) towed vehicle, 2) located a stolen vehicle, 3) pursuit that was initiated by Guadalupe County – armed suspect – suspect bailed out and was located in a field., several local entities responded to the call.Marshal Hatcher and Mayor Williams addressed the following questions from the Council:
 - What is License Plate (false/fictitious/improper use)
 - Assisting agencies - explanation
 - TML liability coverage for out of jurisdiction assist
 - Is there a need for an Interlocal agreement between the different entities: Guadalupe County, City of Marion, City of Santa Clara – for Marshal’s calls out of jurisdiction – Mayor to look into Interlocal Agreement.
 - Marshals’ jurisdiction is county wide – Marshal on writing tickets within City of New Berlin and the ETJ.
 - Procedures for when the Marshal would go out of his jurisdiction.Mayor Williams stated that on the next agenda they will discuss the Interlocal Agreement as well as Buy Boarding.
 - d. **City Council Members Comments** – Council Member Schlichting asked for updates regarding the floor in the Marshals office and the Electronic Sign. Mayor Williams responded stating that he is working on quotes for the floor and electronic sign.

Council Member Schlichting mentioned that she has been working on the ordinances/review and those that need to be updated have been contacted. She stated that the Fire Marshal needs to update one that is related to the Sausage Festival. She understands that the staff has been working on the missing ordinances. She understands that some of the missing ordinances have already been uploaded to the website and that the staff have been fixing the website to be more user friendly. She also stated that there is a need to discuss procedures for updating ordinances. She would like to discuss it at the next meeting.

- e. **Public Comments:** This time is provided for the public to address the City Council on issues or concerns. NO CITY COUNCIL ACTION WILL BE TAKEN AT THIS TIME. Please add your name to the sign-up list BEFORE THE MEETING. Public comment(s) may be limited to 3 minutes per speaker. You will be called upon by the Mayor during the meeting. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be directed to leave the meeting.

Mayor Williams recognized the following:

- Melvin Strey – who addressed the unnecessary sign (Water on the Road sign) – as you turn onto Linne Road – sign needs to be removed.
- Lauren Fiala and Debbe Griffin – who addressed Council on approval of the variance that is on the agenda tonight.

- f. **Planning and Zoning Commission Comments:** Diana Flippo Strey, Chairperson

Mayor Williams recognized Diana Flippo Strey, P&Z Chair, who indicated that the applicants for the variance that is on the agenda are present this evening.

- g. **Other Committee Comments**

1. PARKS and PLAYGROUNDS – Melvin Strey, Chairperson

Chair Strey also mentioned that they would like to schedule a workday to trim trees and for general maintenance around City Hall.

2. ORDINANCES REVIEW/REVISE – Kim Schlichting, Chairman

Chair Schlichting mentioned the update on the ordinances earlier and that staff are progressing on locating the missing ordinances as well as updating the website.

5. Consent Agenda:

- a. **Discussion/Action** on these Consent Agenda items to be acted on in a single motion.

1. Minutes: City Council Meeting – March 20, 2023
2. Financial Report: March 2023

Council Member Joyce Wolfe motioned to approve the March 20, 2023, minutes, and approval of the March 2023 Financial Report. Council Member Beverly Felts seconded the motion. The vote was 3-0. Motion carried.

6. Council Agenda

- A. **1317 Zuehl Crossing** – Discussion and consideration and/or action on a request for a variance to plat for subdividing 1-acre of property out of the 10-acre tract located at 1325 Zuehl Crossing in the City of New Berlin's ETJ. (1-acre of land, more or less, out of the Vicente Duran Survey No. 4, Abstract 19, Guadalupe County, Texas)

Mayor Williams recognized Planning and Zoning Chair Diana Strey who stated that the Planning and Zoning met and recommended approval. Mayor Williams recognized Lauren Fiala and Debbe Griffin who addressed the

Council regarding the proposed variance request.

Council Member Beverly Felts motioned to approve the variance request to plat for subdividing 1-acre of property out of the 10-acre tract located at 1325 Zuehl Crossing in the City of New Berlin's ETJ. Council Member Joyce Wolfe seconded the motion. The vote was 3-0. Motion carried.

- B. Ordinance No. 2023-001** - Discussion and consideration and/or action to adopt Ordinance 2023-04 amending and replacing Ordinance 2019-003, by providing correction of previously approved designated No Through Truck streets and designating and adding a portion of Warncke Rd that is within the City of New Berlin city limits, a portion of Linne Rd that is within the City of New Berlin city limits, adding Church Rd, Gin Spur Rd, and include all of Santa Clara Rd that is also within the City of New Berlin city limits.

Mayor Williams recognized Assistant to the City Secretary Brenda Dennis who indicated that all corrections mentioned at the last meeting have been corrected. Mayor Williams recognized Commissioner Stephen Germann who pointed out the need for the ordinance as these streets are not built for heavy truck traffic. Commissioner Germann stated that he is also working with the City of Santa Clara as well. He recommends approval and that the Guadalupe Commissioners Court will be holding a public hearing in June to address this and place it on their agenda for approval. Once approved the County will place the signs.

Council Member Joyce Wolf motioned to approve Ordinance No 2023-001. Council Member Kim Schlichting seconded the motion. The vote was 3-0. Motion carried.

Closed Session

7. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code – Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Court Clerk and the Municipal Judge.

Mayor Williams read the following into record: The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code – Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Municipal Court Clerk and the Municipal Judge. Mayor Williams adjourned the regular meeting into closed session at 7:22 p.m.

Reconvene into Regular Session

Mayor Williams reconvened into Regular Session at 7:36 p.m.

8. Take any action based on discussions held in Closed Session under agenda item 7.

Mayor Williams indicated that at the beginning of the month the Municipal Court Clerk sent a text to our Judge that she was giving notice she was resigning as she needed a full-time job. The city did not hear about this until her one (1) day was up. City did not receive the message as the Judge was out of state attending to her father. Mayor Williams stated that today he had a meeting with the Municipal Judge Carman Long, and she submitted her resignation. Williams stated that he accepted her resignation.

Mayor Williams stated that there is good news that we have someone who is a Prosecutor and also a lawyer that they reached out to for interest in becoming our Municipal Judge and she is Jacquelin Ott. Ms. Ott provided information regarding her background to the Council.

Mayor Williams recognized Council Member Joyce Wolfe who moved, seconded by Council Member Beverly accept the resignation of Carman Long as Municipal Judge and to approve Ordinance No. 2023-004 regarding the appointment of Jacqueline Ott as the new Municipal Judge.

The Oath of office was provided to newly appointed Municipal Judge Jacqueline Ott.

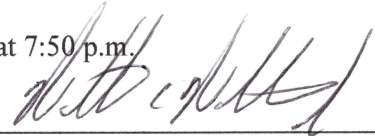
Announcements

Mayor indicated that as mentioned previously the city needed to think about a date for the work day and asked the Council if they had recommendations. Council Members present suggested Saturday, April 29th, 8:30 a.m., Mayor Williams indicated that he would bring breakfast tacos and donuts. He also stated that he will get the message out on "Next Door New Berlin."

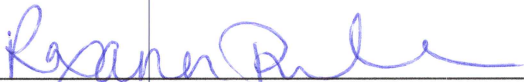
Mayor Williams recognized Commissioner Germann who stated that if anyone needs him to please do not hesitate to call him. Commissioner Germann stated that some of the work he has done is not close to New Berlin, but a lot of folks drive through there and its 1044, FM 78 intersection is horrible. He has been in contact with TxDOT who indicated that it would be three to four years for work to be done, he told TxDOT that this will not work. He contacted Henry Cuellar's office and they indicated that they would support him and get a traffic study. He received the traffic study for the last two years, not including this year, and there were 38 wrecks, 88 cars and 109 people involved, 2 people killed last year. Again, the Commissioner said that this will not work and has asked DPS how many wrecks would be a lot, and they responded with five or six. He reached out to Monica De La Cruz office, and they indicated that they were behind him and to keep rolling. Commissioner Germann stated he had a meeting with TxDOT and asked them what they are going to do to remedy this. He also stated that a citizen in Marion had gotten 362 registered voters' signatures to address this situation. The meeting with TxDOT they had indicated that fixing the situation would take time.

9. Adjournment

As there was no further business, Mayor Williams adjourned the meeting at 7:50 p.m.



Walter C. Williams Jr., Mayor

Attested by: _____
Roxann Pullin, City Secretary