

VICTORIA CITY COUNCIL
June 21, 2005

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:01 p.m. Tuesday, June 21, 2005 in the Council Chambers, 107 W. Juan Linn, Victoria, Texas. The pledge of allegiance was said, and all citizens were welcomed.

MEMBERS PRESENT

Will Armstrong, Mayor
Philip Guittard
Lewis Neitsch
Bill Russell
Shirley Buckert
Jim Wyatt
Tom Halepaska

STAFF PRESENT

Denny Arnold, City Manager
Charles Windwehen, Assistant City Manager
David A. Smith, City Attorney
Miles Risley, Senior Assistant City Attorney
John Johnston, Director, Public Works
John Kaminski, Director, Planning
Doug Cochran, Director, Parks and Recreation
Lynn Short, Director, Utilities
Vance Riley, Director, Fire and EMS
Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of June 7, 2005 were approved as presented.

CITIZENS COMMUNICATION

James Lowry, 2003 S. Laurent, came to Council requesting assistance in dealing with an individual in his neighborhood that seems to have some mental problems and is a danger to himself and others around him. Allan Miller, 2103 Dudley, also indicated that this individual was a problem. Information was given to the Legal Department in order for them to look into the matter.

Good Samaritan Presentation

A "Good Samaritan Presentation" was presented to Mike and Sandy Graham of Victoria as a result of their life saving efforts on Buddy Hodges of Oklahoma. Mr. Hodges collapsed on the floor in a San Antonio Wal-Mart on July 15, 2004 in full cardiac arrest, his heart had stopped beating and Cardio Pulmonary Resuscitation (CPR) was needed. Mr. and Mrs. Graham had someone call 911, handed their three children over to strangers and began performing CPR on Mr. Hodges. Mr. Graham requested an automatic defibrillator, but one was not available. Upon arrival of the ambulance Mr. Hodges was defibrillated seven times and it took approximately twenty minutes to revive him. Mr. Hodges along with his wife and daughter were present to recognize Mr. and Mrs. Graham for their unselfish life saving action. Mr. Hodges personally thanked Mr. and Mrs. Graham and encouraged everyone to consider taking a CPR class, because it really can make the difference between survival or not.

ITEMS FROM COUNCIL

Mayor Armstrong requested information on placing prefabricated homes on vacant lots that the City was acquiring for various reasons. He suggested that putting affordable housing on those lots could be beneficial to people in those parts of the community. He requested a Work Session on the matter. Denny Arnold, City Manager, advised that staff was already studying it, considering all of the issues, and would provide a report at a future meeting.

Cm. Russell asked staff to look at a drainage problem on Leisure Lane.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following item:

ORDINANCE 2005-11 – AMENDING THE CITY’S TOW TRUCK ORDINANCE

The ordinance considers amending Section 23-61(c)(2) and Section 23-75 of the Victoria City Code to modify the privilege fees for members of the City’s tow truck rotation list and establish maximum allowable rates for the members of said rotation list. Scarlet Swoboda.

Allan Miller, 2103 Dudley, Owner of Allan’s Wrecker Service, thanked Mayor Armstrong and Council for looking at his concerns. He advised that his industry was experiencing drastic increases in equipment, insurance, and fuel. He briefly explained the difference in a consent tow and non-consent tow, and how they affect his business. He stated that in some cases he is never paid for non-consent tow services, and that was one reason he was requesting an increase in the allowable charges that the tow companies can charge.

Mayor Armstrong asked if there were any questions from Council or the audience. There were none, and Mayor Armstrong closed the public hearing.

CITY MANAGER REPORTS**Design of Sports Complex**

Doug Cochran, Director of Parks and Recreation, advised that several weeks ago concerns were raised about the design of the Youth Sport Complex. Since then he met with Cm. Neitsch and Cm. Wyatt to obtain input on their concerns and the report provided listed the issues brought up in the meetings. In order to evaluate the design and incorporate the changes, he recommended utilizing the expertise of a Park Planner, Clark Condon Associates, Inc. of Houston, Texas. The cost of the proposal is \$18,000 plus reimbursable expenses of approximately \$1,500. He requested Council consensus to proceed in this direction, which he received following Council discussion.

RESOLUTION 2005-89R – AUTHORIZING AN INTERLOCAL AGREEMENT WITH VICTORIA COUNTY FOR CONSTRUCTION OF A WATER MAIN TO THE TELFERNER AREA

The resolution authorizes an Interlocal Agreement between the City of Victoria and Victoria County for the County’s construction of a water main to the Telferner area of Victoria County and the City’s acceptance of the water main and provision of water services to said area. Lynn Short.

The resolution was pulled from the agenda.

RESOLUTION 2005-90R – AUTHORIZING A COASTAL BEND HOME CONSORTIUM COOPERATION AGREEMENT WITH CALHOUN

The resolution authorizes a Coastal Bend Home Consortium Cooperation Agreement with Victoria County, Calhoun County and the cities of Point Comfort, Port Lavaca and Seadrift to become a participating jurisdiction for U.S. Department of Housing and Urban Development HOME funds. John Kaminski.

Cm. Wyatt moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2005-91R – AUTHORIZING OFFER TO PURCHASE PROPERTY AND/OR EASEMENTS FOR THE NAVARRO-HATHAWAY CONNECTOR STREET FROM JERRY P. AND BONNIE M. FORTENBERRY

The resolution authorizes the City Manager to execute offers and contracts for the purchase of property and/or easements for the Navarro-Hathaway Connector Street Project from Jerry P. and Bonnie M. Fortenberry, in an amount not to exceed \$680,322, authorizes the acquisition of other

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interests in said project and/or property(ies), and authorizes the acceptance of deeds and other documents granting interests in the aforementioned property(ies) and/or easement(s). David A. Smith.

Cm. Buckert moved that the resolution be adopted, with Cm. Wyatt seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

ORDINANCE 2004-2005E - AMENDING THE 2004-2005 BUDGET OF THE CITY OF VICTORIA GENERAL FUND

City Attorney, David Smith, read the caption of Ordinance 2004-2005E, which amends the 2004-2005 Fiscal Year Budget of the City of Victoria by transferring \$775,500 from the General Fund fund balance to the Street Department Streets & Roadways line item for the construction of the North Navarro and Hathaway Connector Street Project. Second and Third Reading. Andrew K. Jacob.

Cm. Wyatt moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed on second and third reading by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2004-2005 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$775,500.00 FROM THE GENERAL FUND FUND BALANCE TO THE STREET DEPARTMENT STREETS & ROADWAYS LINE ITEM FOR THE CONSTRUCTION OF THE NORTH NAVARRO AND HATHAWAY CONNECTOR STREET PROJECT; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2005-11 – AMENDING THE CITY’S TOW TRUCK ORDINANCE

City Attorney, David A. Smith, read the caption of Ordinance 2005-11, which amends Section 23-61(c)(2) and Section 23-75 of the Victoria City Code to modify the privilege fees for members of the City’s tow truck rotation list and establish maximum allowable rates for the members of said rotation list. First Reading. Scarlet Swoboda.

Cm. Wyatt moved that the ordinance pass on first reading, with Cm. Buckert seconding the motion. The ordinance passed on first reading by the following vote:

AYES: Council Members Neitsch, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: Council Members Guittard and Russell

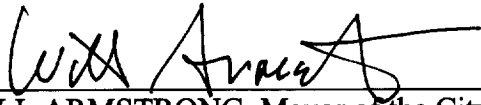
Caption:


AN ORDINANCE AMENDING SECTION 23-61(C)(2) AND SECTION 23-75 OF THE VICTORIA CITY CODE TO MODIFY THE PRIVILEGE FEES FOR MEMBERS OF THE CITY’S TOW TRUCK ROTATION LIST AND ESTABLISH MAXIMUM ALLOWABLE RATES FOR THE MEMBERS OF SAID ROTATION LIST, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND SAVINGS, AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Armstrong announced that there was no need for an Executive Session.

There being no further business, the meeting was adjourned at 6:12 p.m.

APPROVED: 
WILL ARMSTRONG, Mayor of the City of
Victoria, Texas

ATTEST: 
SCARLET SWOBODA, City Secretary
