


**CITY COUNCIL MINUTES
December 20, 2005**

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

ATTEST: 
SCARLET SWOBODA, City Secretary

**VICTORIA CITY COUNCIL
January 3, 2006**

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, January 3, 2006 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
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
Ray Miller, Assistant Planning Director
Doug Cochran, Director, Parks and Recreation
Gilbert P. Reyna, Jr., Director, Finance
Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Jim Wyatt

APPROVAL OF MINUTES

There were none presented.

CITIZENS COMMUNICATION

Tax Freeze

Jack A. Mullins, 224 Ridgewood Drive, requested clarification on when the 65 and older tax freeze goes into effect. David A. Smith, City Attorney, advised that the appraised value for 2005 was the amount to be frozen and the freeze takes effect on January 1, 2006.

Smoking Ordinance

A proposed resolution to schedule the preparation of an election ordinance to consider the questions of prohibiting smoking in all public buildings and making other changes to the smoking ordinance had been requested by Cm. Russell at the last meeting. Cm. Russell stated that it had been his intent to discuss this matter when all Council Members were present and provided the same language that he proposed at the last meeting. Following discussion it was the consensus of Council to go ahead and prepare an ordinance with the language proposed by Cm. Russell.

ITEMS FROM COUNCIL

Tree Trimming Concerns

Mayor Armstrong advised that he had received complaints about the cutting of trees that hang out over the streets, with the individual feeling that they should be notified first for their

CITY COUNCIL MINUTES**January 3, 2006**

permission. He reported the City requires that trees are to be cut 14 feet high from the street so that emergency vehicles can travel down those streets and 7 feet high from sidewalks. He advised that citizens either need to take care of the trees themselves or the City will cut them, and permission to cut is not needed.

Charter Election

Mayor Armstrong also reported that a group of citizens had met with him and Cm. Neitsch to address the possibility of making revisions to the City Charter. Their concerns were that the petition process was too stringent and wanted some revisions to the charter ratified by the voters at the May election. He advised that a charter revision committee would have to be appointed and that committee would have to study the whole charter and there was not enough time to do that because of election timelines between now and the May election.

Railroad Crossings

Cm. Halepaska advised that a citizen had inquired about railroad crossing quiet zones. Miles Risley, Senior Assistant City Attorney, was asked to research the most recent ruling on quiet zone requirements.

Proclamation

Mayor Armstrong presented a proclamation declaring the month of January "National Blood Donor Month" to Sally Covecavich, who thanked the Council and encouraged citizens to donate four times a year in order to maintain a ready supply of blood.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following item:

ORDINANCE 2006-1 – ADOPTING THE SPEED LIMIT ON BEN JORDAN BETWEEN RED RIVER AND AIRLINE ROAD

The ordinance considers adopting schedules of one-way streets, parking restrictions, and speed limits; adopting maps pertaining to truck routes and parking restrictions. The proposed ordinance would decrease the speed limit on Ben Jordan between Red River and Airline from 40 mph to 35 mph. It also proposes a two-hour time limit on parking spaces on the west side of Bridge Street between Church and Juan Linn Streets. John Johnston.

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

Charles Windwehen, Assistant City Manager, announced that the Finance Department had once again received the Certificate of Achievement for Excellence in Financial Reporting.

RESOLUTION 2006-1R – APPOINTING DIRECTORS OF THE VICTORIA SALES TAX DEVELOPMENT BOARD

The resolution reappoints Will Armstrong, Louise Hull, Lewis Neitsch, and Glenn Villafranca to the Victoria Sales Tax Development Corporation. Scarlet Swoboda.

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

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

NAYS: None

CITY COUNCIL MINUTES

January 3, 2006

RESOLUTION 2006-2R – APPOINTING LAURA SALINAS AS DEPUTY MUNICIPAL COURT CLERK

The resolution appoints Laura Salinas as a Deputy Municipal Court Clerk. David A. Smith.

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

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

NAYS: None

RESOLUTION 2006-3R – AUTHORIZING THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT FROM NAZTEC, INC., AND JEM ENGINEERING AND MANUFACTURING CO., INC.

The resolution authorizes the purchase of traffic signal equipment from Naztec, Inc. in the amount of \$38,475.65 and Jem Engineering and Manufacturing Co., Inc. in the amount of \$93,831. John Johnston.

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

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

NAYS: None

RESOLUTION 2006-4R – AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE VICTORIA COUNTY NAVIGATION DISTRICT IN REGARDS TO THE I-69 CORRIDOR

The resolution authorizes an interlocal agreement with the Victoria County Navigation District to participate in the acquisition of consulting services related to the I-69 Corridor, in an amount not to exceed \$6,916.02.

Cm. Russell stated that it was the strong conviction of this Council that an interstate corridor through the current Highway 59 was very much in the best interest of the City of Victoria and connecting the Port of Victoria with other ports in Texas.

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

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

NAYS: None

RESOLUTION 2006-5R – APPOINTING LAURA CASTILLO AS DEPUTY CITY SECRETARY

The resolution appoints Laura Castillo as a Deputy City Secretary. Scarlet Swoboda.

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

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

NAYS: None

CITY COUNCIL MINUTES

January 3, 2006

ORDINANCE 2006-1 – AMENDING THE SPEED LIMIT ON BEN JORDAN BETWEEN RED RIVER AND AIRLINE ROAD

City Attorney, David A. Smith, read the caption of Ordinance 2006-1, which adopts schedules of one-way streets, parking restrictions, and speed limits; adopts maps pertaining to truck routes and parking restrictions. First Reading. John Johnston.

Cm. Neitsch 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 Guittard, Neitsch, Russell, Buckert, Halepaska, and Mayor
Armstrong

NAYS: None

Caption:

AN ORDINANCE ADOPTING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS; ADOPTING MAPS PERTAINING TO TRUCK ROUTES AND PARKING RESTRICTIONS, PROVIDING THAT SCHEDULES OF SUCH TRAFFIC REGULATIONS AND FEES SHALL BE MAINTAINED FOR PUBLIC INSPECTION, PROVIDING A PENALTY NOT TO EXCEED \$200.00 UPON CONVICTION, REPEALING PARTS OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, PROVIDING FOR SAVINGS, AND DECLARING AN EFFECTIVE DATE.

WORK SESSION

Mayor Armstrong announced that the Council would recess into a work session at 5:54 p.m.

Sports Complex

Doug Cochran, Director of Parks and Recreation, gave a brief history and introduced the conceptual design of a youth sports complex located on property adjacent to the Community Center. He advised that the Parks Commission recently recommended moving forward with the project. The cost analysis for the entire project is \$13,342,800, which is significantly more than what was presented before. He then pointed out four different areas of the design plans and their estimated costs.

1. Ball Field Area, with ten (10) standard regulation ball fields and two (2) for championship games. All would be built according to University Interscholastic League (UIL) regulations. The lighting, irrigation, bleachers, etc. for just the ball fields is \$4.5 million, adding storm drainage, grading, utilities, engineering, architectural services, bridges, and signage the cost goes to \$8.4 million.
2. Teen Area, with walking trails, skate park, and BMX track. These would be located near the existing swimming pool, tennis courts, and basketball pavilion. This area would be \$1.3 million, then after adding storm drainage, grading, utilities, engineering, architectural services, bridges, and signage the cost goes to \$2.8 million.
3. Open Space Area, with sand volleyball courts, and soccer fields. This area would be approximately \$2.5 million for the entire area.
4. Arena, with a 3,000 to 6,000 seating capacity.

Two different types of arenas for the Council to consider:

1. Open Air Arena, which would lower construction and maintenance costs. Disadvantages of this type of arena would leave you at the mercy of the weather, the lack of air conditioning and heating could ruin some events. An open air arena would cost approximately \$100 to \$150 per square foot, estimating a 65,000 square foot building the price would be \$6.5 million at \$100 per square foot or \$9.75 million at \$150 square foot.
1. Closed Arena, which would allow for a wide variety of events, such as. Disadvantages of this type of arena are high construction costs, utility costs are greater, operation and maintenance costs are significantly greater. A closed arena would cost approximately \$200

CITY COUNCIL MINUTES

January 3, 2006

and many opportunities for funding options other than tax money. There are opportunities for partnerships and there are people in this community that will help.

- Jay Kasper, 301 N. Hampton Circle, President of Girls Softball Association, advised that about 500 girls participate in the program each year. It stated that they are a non-profit organization and take in about \$40,000 a year, which is then spent on league operations, field maintenance and field improvements. He stated that although they were a small organization, the members are willing to support and put up funds for games that their girls play. He suggested that if the entire project was not able to be done at one time that the ball fields be part of the first phase.
- Ronnie Paine, 201 Tracey, President of Northwest Little League, supported the project stating that the league would do whatever they could to help the project go through, and would be willing to relinquish their concession stands to help with the revenue.
- Vic Caldwell, 21 Spring Creek Drive, stated that the community needs to expand recreational space. He commended Council for considering this type of facility and pointed out that quality of life was important for a community. He stated that there are smaller communities in the surrounding areas that have better facilities than Victoria.

Jack A. Mullins, 224 Ridgewood Drive, expressed concerns with the proposed concept, suggesting that Victoria has been a boom and bust economy and expressed fear that it would bust in the near future. He expressed concerns that the plants in the area may close down and that would be detrimental to our local economy. He also doubted that there would be enough lodging availability to accommodate an arena as had been mentioned.

Mayor Armstrong closed the public comment section of the work session.

Cm. Neitsch stated that the first thing that needed to be discussed and a decision made on was what type of arena to build. He stated that he preferred a closed arena, but an open air arena would probably be more feasible because of the cost. He stated that the seating capacity needed to be determined and more accurate cost estimates were needed on whatever size the majority of the Council determined. It also needed to be determined whether all of the members of Council were for the concept.

Cm. Halepaska stated that the only thing that needed to be determined was whether this was a worth while project and do we want to do it. The scope of the project would be limited by the economics available. Cm. Halepaska suggested looking at extending a road over to Ben Jordan and also having an entrance off Ben Wilson.

Cm. Buckert asked how sacred was the ellipse area and why was it being saved for a carnival that is held once a year? She asked whether the soccer fields could be moved over to the ellipse area to make more room for more parking. She also felt that the arena should be more prominent and wanted to look at an entrance on Ben Wilson.

Cm. Russell inquired whether the Community Center was the best place to build such a project, suggesting that somewhere along the loop might be a better place to build the sports facilities and was worth considering. He felt that the community center was the most inconvenient location that it could be and that accessibility was a problem. Cm. Russell suggested that the goal of the Council needed to be, to look at this project in such a way that the voters can vote for or against, and bring the best project forward in the best form that we can. He also stated that there needed to be a joint meeting with Victoria Independent School District and the County Commissioners and recommended having one in the very near future.

Cm. Guittard stated that if this project was going to happen, the City would have to take the lead in it, the leadership was going to have to come from this Council. He asked if Mr. Cochran could check with communities that have arenas of different sizes and see how often they are filled to capacity. He stated that he felt 7,000 was much too big, suggesting that perhaps 5,000 seating capacity would be a better size. He also stated that he was in favor of a closed arena, because with our climate it needed to be climate controlled.

Mayor Armstrong stated that he remembered when Hemisphere Plaza was built in San Antonio in a disadvantaged area, and how it revitalized that area. He stated that San Antonio

CITY COUNCIL MINUTES

January 3, 2006

wouldn't be where it is today with the Riverwalk and all it has turned into. He stated that he was not afraid to invest in that area of the community.

All members of Council were in favor of the concept of the project in some capacity. Mr. Cochran was instructed to look at every possibility for additional parking, more information on the size and attendance of an arena, renting capacity, and Cm. Russell wanted to know how much extra it would be for raw land somewhere else north of town.

Mr. Windwehen suggested addressing the Capital Improvement Projects at the next work session due to the lateness of the hour, with Council in agreement.

The work session was adjourned at 8:03 p.m.


EXECUTIVE SESSION

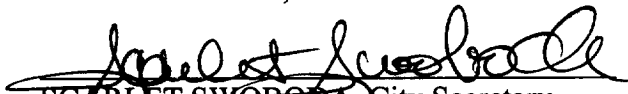
Mayor Armstrong announced that Council would recess into Executive Session at 8:04 p.m., in accordance with:

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, employment, evaluation, and duties of the directors of the Victoria Sales Tax Development Corporation and employees of the City Secretary's office and Municipal Clerk's office). Scarlet Swoboda and David A. Smith.

Section 551.087, Texas Government Code, to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Victoria and with which the City of Victoria is conducting economic development negotiations. David A. Smith.

The Council reconvened in regular session at 9:09 p.m. and had nothing to report. There being no further business, the meeting was adjourned at 9:10 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
