

CITY OF WINTERS
CITY COUNCIL REGULAR MEETING MINUTES
Monday, December 20, 2021, 6:00 p.m.
Council Chambers, City Hall, 310 S Main, Winters, Texas

* NOTE: D/A on this agenda stands for Discussion/Action.

Call meeting to order: Mayor Mark Burkhart called meeting to order at 6:00 p.m.

Quorum check.

Present: Mayor Mark Burkhart

Attorney Ken Slimp

Alderwoman Sandee Schneider

Alderwoman Ursula Estrada

Alderman Elmer Buckelew

Absent: Alderman Clayton Woffenden

Prayer: Acting City Secretary Sheila Lincoln

Agenda Item # 1: Community Input: Mayor Burkhart read a brief statement concerning the incident of the shooting of a dog by the ACO, stating that reports of the incident have been submitted to the DA's office by Chief Geyer. If a decision is made by that office to move forward with the case an independent agency will be selected to investigate. He states that from tragedy comes change and that handling of animals will be humane.

Jessica Hooser, owner of the canine, offered an apology for the city employees who have been threatened and stated that it was not the intention but rather to get justice for Baxter and the cruelty that happened. She states that Baxter jumped the fence because he was curious; she states he was a protector and a goofy, fun-loving pet. She is offended that city workers in city uniforms were laughing and doesn't want her children or others to see that as a representation of the city. Ms. Hooser stated that she did not know if more training was required or not and questioned if ACO, Foster is even allowed to carry a weapon and injected that it was dangerous. She states that the firing of three shots to put the dog down could have very well hit the elderly lady the officer stated he was concerned for on the day of the shooting. Ms. Hooser stated that the situation could have been handled differently; the officer could have come to her door and knocked to see if anyone was home. She added that there was a place in their fence where they knew the dog was getting out but they had fixed it, but he had started climbing over the fence and that they had planned to do something that weekend. Ms. Hooser stated further that her husband had been walking the neighborhood apologizing for their dog getting out and that the shooting of the dog was premeditated, and one could tell from the videos on Facebook.

Hector Reyna stated that his main concern is that if a city employee working under the Police Department, why was he not wearing a body cam, especially carrying a deadly weapon. Mr.Reyna stated that "he" used the gun three times and where the bullets landed no one knows

and should be wearing a body-cam when conducting his duties. He asked if the weapon was the ACO's personal or was it city issued and finished by stating those are his issues and thanked the Mayor and Council.

Angela New apologized to the city employees and their families who are being threatened and stated that it was not her intention and that she never expected this to get as big as it has and does not want the city of Winters or its employees to look bad, but she does want justice for Baxter stating that she knows what she saw was wrong. Ms. New adds that thirty minutes before the meeting she did post additional videos showing the dog catcher in the back yard with the dog with the dog walking in front of him wagging his tail as the dog catcher leads him from one side of the yard to the other where he shoots him just a couple of seconds later. She goes on to say, "they did not do anything to try and prevent a shooting" and it is not right. Ms. New closed with another apology to city employees.

Bob Pascasio, Administrator of the North Runnels County Hospital spoke, addressing Agenda Item # 4. He stated that he is respectfully requesting that the item be tabled to allow additional conversations to occur between the hospital district and the city stating that he believes that there is a mutual interest in attending to and providing for this particular "group of folk". Mr. Pascasio closed with again respectfully asking this agenda item be tabled.

Agenda Item # 2: Discussion of ongoing CDBG Sewer Grant and Water Plant Repairs from Sage Diller with eHT.

Sage Diller with eHT stated that he wanted to update the city on where we are on the CDBG Sewer Grant stating that the project is currently out for bid and is listed on a website that receives bids from plan holders across the state. The project is estimated to be approximately \$190,000.00, bids will open January 12, 2022 at 11:00. It is estimated that there will be multiple bids; those bids will be calculated and eHT will develop a bid calculation sheet and will present them to council along with a recommendation of potential project award and if approved we will move into the contracting and construction phase. Mr. Diller reminded council that this grant is for sewer improvements on S .Frisco, Magnolia and Hamilton streets.

Mr. Diller touched on the list of improvements needed for the water system for the city which has been being compiled; these repairs would potentially be covered by ARP funding. Mr. Diller states that in his opinion the first two items on the list: the raw water pump station and the high service pump building are, the most critical. He states further that with only one raw water pump and one high service pump operating he would almost deem that an emergency situation. If one of those go down we would not be able to push water out into the distribution system. As eHT has been selected as the engineer of record for the ARP funds, it is his recommendation that if council approves, eHT will start working on a proposal or contract scope to bring to the next council meeting and primarily start lining out the two afore mentioned items and begin developing proposals to solicit bids to replace them and try and expedite as fast as possible. Once those are addressed the amount of money left will be compared with which repairs are still necessary. Mr. Diller also states that the TWDB application deadline is coming up and that could be an avenue to use to pay for items that are not covered under the ARP funds.

Agenda Item # 3: D/A on accepting the Marquez Tree Care, LLC estimate for removal of various dead trees around the city in the amount of \$9,038.88.

Alderman Elmer Buckelew stated these were trees that are basically dying and will cause safety issues. Billy Sherman with the street department went over the list of trees that need to be addressed under the estimate. Alderwoman Sandee Schneider made a motion to accept the estimate for removal of various dead trees around the city from Marquez Tree Care, LLC in the amount of \$9,038.88. Alderman Elmer Buckelew seconded the motion, all in favor. Motion carried.

Agenda Item # 4: D/A on divestment of property at 601 Wood St., Winters, TX 79567; previously tabled on November 29,2021.

Mayor Burkhart stated that Bob Pascasio had already spoken to this agenda item. Mr. John Long shared his love and appreciation for the Senior Center and that it is his hope that the property will not be sold. Mayor Burkhart cited the Texas Constitution Article 3.52 ...donating or gifting... Mr. Long asked about the other properties owned by the city: The Boy Scout Hut, The Fireman's BBQ, The Library, Old City Church stating there are five properties in the same situation as the Senior Center and will be next on the list. Alderwoman Sandee Schneider made a motion to table this item. Alderwoman Ursula Estrada seconded the motion, all in favor. Motion carried.

Agenda Item # 5: D/A on creation of ordinance, definition, and enforcement of a RV, not in designated RV Park or area previously tabled on November 29,2021.

Mayor Burkhart stated that attorney Ken Slimp has been busy and was asked to table this agenda item. Alderman Elmer Buckelew made a motion to table the item. Alderwoman Ursula Estrada seconded the motion, all in favor. Motion carried.

Agenda Item # 6: D/A for approval on estimate for repair of the crappie dock received from Elite Custom Boat Docks. TML insurance approved the repair over the replacement, less deductible of \$536.00.

Alderwoman Sandee Schneider made a motion to approve the estimate for repair of the crappie dock received from Elite Custom Boat Docks, less the deductible of \$536.00. Alderman Elmer Buckelew seconded the motion, all in favor. Motion carried.

Agenda Item # 7: Monthly Reports:

- a. City Hall Monthly Report.
- b. Street Department Monthly Report:
- c. Chief of Police Monthly Report.
- d. Municipal Judge Monthly Report.

Agenda Item # 8: Consent Items:

- A. Approval of Bills. Alderwoman Sandee Schneider made a motion to pay the bills. Alderwoman Ursula Estrada seconded the motion, all in favor. Motion carried.

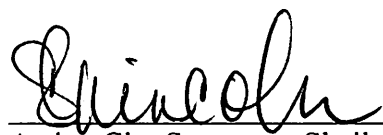
B Approval of Minutes from November 29,2021.

Alderwoman Ursula Estrada made a motion to approve the minutes. Alderman Elmer Buckelew seconded the motion, all in favor. Motion carried.

Agenda Item # 9: Adjourn meeting.

Alderwoman Sandee Schneider made a motion to adjourn the meeting. Alderman Elmer Buckelew seconded the motion, all in favor. Motion carried. Meeting adjourned at 6:33 p.m.

Attest:



Acting City Secretary, Sheila Lincoln



Mayor, Mark Burkhart

Council Meeting Sign In

Date 12/20/21

Name	Contact Information
Carolyn & Richard DeNigro	
Sharon Miller	
Billy Sherman	
Michael B	
Sage Dill	CHT
Charles Grenvelge	325-754-5208
Jan Dye	754 4849
John Dye	977-0100
Bill Hancock	325-276 0994
Angela New	325-977-9707
Hubs Anna	325-305-0978
Dessete Wootte	325-977-2421
Cole Hooser	432-923-9154
Janie Long	432-232 3074
POB POC POC	432-212-3736
Nancy Spivey	425-754-1500
Stephen Spivey	325-234-1766
John Spivey	754-5053
Julie Keller Mike Parker	977-2450
Jan Sam	MVBA 325-665-5508
June Watson	325-864-9161
Drew Kuhn	325-267-0539
Laura Green	
Dottie Sanders	325-977-1948
Linda Huckaby	979-229 8734
Debbie Frausto	806-543-3088
Rhea Sue Parramore	325-513-2015