

## Austwell City Council Minutes for June 2022 Regular Meeting

The Austwell City Council met for its regular monthly meeting on Tuesday, June 21, 2022 at the Community Center. Mayor Andy Biery called the meeting to order at 7:00 PM and led the pledge of allegiance to the flag. Mayor Biery welcomed the citizens in attendance and announced that a community workday would be held on Saturday, June 25 with work on the baseball field at the park and repairs to city streets as primary activities for the day. Council member Monica Torres asked about plans for community celebration of Independence Day, but no events will be sponsored by the city. The county is currently under a burn ban, so no fireworks are allowed. No citizens presented comments.

### Item 5: Staff Reports

City Secretary Jodie Lerma presented printed reports regarding bank account balances.

Rene Rodriguez of Rene's Water Operations reported amounts of water used, results of waste-water system sampling, and work log activities. He also reported that water well #1 has been the primary source of the city water supply for the past three weeks, and that water well #2 is available for additional water when necessary.

County Commissioner Blaine Wolfshohl provided information on plans for work to be done on the boat ramp and bay front.

### Item 6: Financial Reports

City Secretary Jodie Lerma provided print information regarding water service fees collected, aging summary, and profit and loss records for the previous month, and the financial performance report for the year-to-date. Council member Ancira moved to accept the reports; member Torres seconded the motion; motion passed unanimously.

### Item 7: Minutes

Copies of the minutes of the May 12, 2022, regular meeting were provided for each council member. Council member Torres moved to accept the minutes as presented. Member Ancira seconded the motion and it passed unanimously.

### Item 8: Update on Website

Website Committee chairman David Ancira and Mayor Andrew Biery provided a sample of the information currently available on the city website at [cityofaustwell.com](http://cityofaustwell.com) and explanations of how to use the site. Agendas for upcoming meetings and minutes of past meetings will soon be available on the website.

### Item 9: Permitting Process Updates

Mayor Biery demonstrated the steps of the permitting process and the availability of the documents on the website.

### Item 10: Ordinance Review

City ordinances will also be available for examination by citizens, who may also make comments on those ordinances and suggestions about changes in the ordinances.

### Item 11: Past-Due Invoices to Purified Air

Invoices were presented which indicate that twelve inspections which were provided by Purified Air have not been paid for. Motion was made by council member Torres to pay \$1000 to Purified Air to settle the account. Motion seconded by council member Ancira and passed unanimously. Mayor Biery encouraged citizens to use the documents which are now on the

City website to avoid misunderstandings about permits and charges for inspections in the future.

**Item 12: Update on Grant Spending**

A summary of grant spending from various sources will be necessary as the city begins to gather information on the development of next year's budget. Mayor Biery and Secretary Jodie Lerma will gather information to provide documentation of income sources and expenditure items in preparation for this process.

**Item 13: Generator Update and Update on Enforcement Actions**

(Actions by TCEQ, SEP, and Compliance plan, EPP for TCEQ regarding generators)  
Generators for water and sewer plant are funded at 90%; installation and auto-switching are in place. The city is awaiting the arrival of generators. The current arrival estimate is September, which is well beyond the July 21 deadline given by TCEQ to avoid fines and enforcement. Mayor Biery continues to keep pressure on the vendor and to constantly communicate with both branches of TCEQ with which the city has current enforcement actions pending.

In early July, TCEQ will need to be notified and, in order to avoid fines or enforcement action, the city may need to contract for backup generators until the ordered generators arrive.

Information only; no action taken

**Item 14: Swear In Municipal Court Judge**

Mayor Biery announced that Refugio County Sheriff "Pinky" Gonzales had presided at the swearing in of Dwight Mutschler as the new Municipal Judge of the City of Austwell on Friday, June 10, 2022. Mr. Mutschler is required to receive required training and a municipal court will be established.

**Item 15: Accept Nomination of Assistant City Secretary**

In order to provide clerical support for the City Secretary, aiding with administration and other tasks as needed, and primarily to open and/or close the office when the secretary is unavoidably absent, the City is looking for a volunteer assistant. Mayor Biery moved that Bonnie Mutschler be appointed to the position, council member Ancira seconded the motion, and it passed unanimously.

**Item 16: Nominate and Appoint Mayor Pro-Tem**

Council members considered the designation of a council member to fill the position of Mayor pro-tem. Motion was made by Council member Torres to elect Council member Amy Ancira to the position; Mayor Biery seconded the motion. The motion passed unanimously.

**Item 17: Sell Storage Building**

The small storage building beside the Community Center was purchased after Hurricane Harvey for storage of city materials during recovery efforts. It was not built to withstand wind forces. The City would like to sell the building for best offer, providing that the building is removed from the City. Proceeds will be used to purchase a smaller wind-rated building to be used at the water or sewer plant to store equipment and parts used to maintain the water and sewer system. Council member Ancira made the motion to sell the building; council member Torres seconded the motion. The motion passed unanimously.

**Item 18: Budget Kickoff**

Mayor Biery called for a budget workshop as soon as possible after July 20, possibly on Saturday, July 23. He encouraged citizens to begin considering high priority expenses and high yield fundraising. Water and sewer improvements as well as drainage and road improvements will need to be addressed. Initial budget performance for the current year should be reviewed. The consideration of a council member to lead the budget worksheet effort could expedite the process.

**Item 19: Remove Bonnie Mutschler from Wells Fargo Bank Accounts**

Council member Torres moved that former council member Mutschler's name be removed from Wells Fargo bank accounts. Council member Ancira seconded the motion. Motion passed unanimously.

**Item 20: Add Council Member Amy Ancira as Signatory on Wells Fargo Accounts**

Council member Torres moved that new council member Ancira's name be added to the Wells Fargo bank accounts. Council member Biery seconded the motion. Motion passed unanimously.

**Item 21: Authorization to Transfer All Accounts to First National Bank:Port Lavaca**

In regard to dissatisfaction with services (or lack of service) from Wells Fargo Bank and difficulty in dealing with past transactions, the possibility of moving financial dealings to a locally-based financial institution was considered. Motion to research the procedures required to transfer financial operations from Wells Fargo Bank to First National Bank:Port Lavaca was made by Council member Ancira and seconded by Council member Torres. Motion passed unanimously. An appointment will be made as soon as possible to visit with representatives of FNB/Port Lavaca.

**Item 22: Accept Utility Easement from Mutschler, Heller, Heller, and Kurecka**

Mutschler, Heller, Heller, and Kurecka are requesting a 15'x180' utility easement for future water and sewer expansion to service a proposed new development of 1.6 acres at Luthardt and Gisler Streets. Council member Ancira moved that the easement be granted. Council member Torres seconded the motion. The motion passed unanimously.

Before the meeting adjourned, citizen John Simmons asked the City for assistance in removing signs that have been left in ditches by road resurfacing crews working for the state highway department. Mayor Biery assured him that they would be collected at the next city workday (June 25).

**Meeting was adjourned at 8:22 PM.**