



INGRAM CITY COUNCIL AGENDA
MINUTES OF REGULAR MEETING
ON MONDAY, AUGUST 21, 2023

The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting. Please contact the City Secretary's office at 830-367-5115 for further information.

CALL TO ORDER:

On August 21, 2023, at 6:00 P.M., the Ingram City Council Regular Meeting was called to order by Mayor Claud Jordan at City Hall, 230 Hwy 39, Ingram Texas.

ROLL CALL:

Mayor Claud Jordan-Present
Mayor Pro Tem Rocky Hawkins-Absent
Councilman Robert Kimbrough- Present
Councilman David Britton-Present
Councilwoman Twanda Brown-Present
Councilman Ray Howard-Absent

CITY STAFF:

Ruby Nix, City Secretary
Dawn Tarr, Finance Officer

Prayer: Mr. Stuart Gross

1. **CITY EVENTS, ANNOUNCEMENTS AND PROCLAMATIONS:** *None*

2. **VISITORS/CITIZENS FORUM: COMMENT PERIOD-LIMITED TO THREE (3)**
MINUTES TOTAL: *None*

3. **CONSENT AGENDA:**

Possible action to approve minutes from Ingram City Council Regular Meeting held on August 7, 2023. *Tabled due to minutes not being in council packets.*

4. **CONSIDERATION AND POSSIBLE ACTION ON BUSINESS ITEMS:**

4 A. Proposed property tax rate (Bob Reeves) Mr. Reeves advised the Council what the two proposed tax rates are. The no new revenue rate will raise the same amount of revenue from the same properties as 2022 and 2023. The property taxes themselves will not be the same however. The highest rate, otherwise known as the voter approval rate, is the highest rate that does not require an election to seek voter approval to raise the tax rate. The no new revenue rate will be \$37.45 per \$100 valuation and the voter approval rate will be \$44.90 per \$100 valuation. The adoption rate that the City would like to be proposed and subsequently adopted on September 5, 2023 will need to be agreed upon tonight in order to meet the statutory guidelines Mr. Reeves would need to get that information to the West Kerr

Current in the morning. The current tax rate is \$43.29 per \$100 valuation. Mrs. Tarr advised that if council chose to go with \$40.50 it would be an approximate increase of \$43k and if those went with \$41.50 it would be an additional \$57k. Councilman Kimbrough inquired as to the difference in revenue between the two rates and was advised by Mrs. Tarr that it was an approximately \$14k difference. Councilwoman Brown made the motion to propose the new tax rate to be \$40.50 which was recommended by Mayor Jordan. Councilman Britton seconded the motion and the motion carried 3-0 votes.

TB – aye

DB – aye

RK – aye

CJ – aye (Mayor required to vote per statutory regulations.)

4 B. FY 2024 Budget Proposal (D Tarr) Mrs. Tarr presented the FY 24 budget packet to the Council. As the Finance Officer, Mrs. Tarr stated that the proposed budget reflects the hard work of the Council and Staff to prepare a proposed budget for Councils review. The proposed budget is a financial plan for the City of Ingram. This budget is a policy tool for Council, an operations guide for staff, and a communications tool for the public. The proposed budget is conservative, helps to accomplish City objectives, and has been drafted to provide financial strength to the City. This year we have created three additional funds, the Grants Fund, and Capital Improvements for both the General Fund and the Wastewater Fund. The General Fund revenues are projected to be \$112,036 or 8.3% higher than the FY 23 budget for a total of \$1.4MM. The increase in revenues is attributed to the increased values in property tax and the continued growth in sales tax. The proposed budget is supported by a tax rate of \$40.50 (if the council so chooses) per \$100 of assessed valuation which is above the No New Revenue (NNR) tax rate of \$37.46 but below the Voter Approval Rate of \$48.33. General Fund expenditures are projected to increase by \$244,201 or 17.3% higher than the FY 23 budget for a total of \$1.6MM. This increase in expenditures is attributed to a 3% COLA, changing the Finance Officer position to a full-time position, and contributions of \$200k to the Road Improvement Fund and \$110k to a Capital Improvements Fund. The Capital Improvements Fund, in the General Fund, was created this year for the vacant building project next door to install a fence and other improvements that Council will decide on later. There are also funds available to purchase a 1-ton truck to add to the City's fleet. The Debt Service Fund continues to be supported by Property Taxes, the Wastewater Fund, and now the WW Capital Improvement Fund for the USDA Loan. The Series 2013 Certificates of Obligation was paid off this FY, however, it is offset by the Series 2014 CO which has doubled its principal payment of an additional \$20k. Our total remaining debt is \$3.2 MM in which FY 24 is projected to pay \$149k of this debt. The Hotel Occupancy Fund, HOT, has experienced a decrease in revenues for FY 23. It is planned to address this decrease and get this fund back on track. The fund has a projected ending balance of \$57k for FY24. The Road Improvement Fund was established in FY 23 and with the approved grant awarded to the City of \$500k, the fund is expected to have \$925K in FY24 to spend on road improvements for the City. The Grants Fund will be a new fund for FY24. This fund has been created to keep the grant funds separated from other funds, for clarity and transparency. The ARPA funds have been moved to this fund as well as the CDBG grant for road improvements with a transfer in to the Road Improvement Fund as we previously discussed. The City will have an unencumbered ARPA fund balance of \$243k that will need to be obligated by December 31, 2024, and expended by September 30, 2026. The Wastewater Fund revenues are projected to be \$55,325 or 3.29% less than the FY 23 budget for a total of \$454k. Wastewater usage is expected to increase and with the implementation of FundView and with the help of Aqua Texas, we expect this number to grow. The \$454k in expected revenues is very conservative until those two items are in place. The Wastewater Fund expenditures are projected to be \$26,145 or 3.29% less than the FY23 budget for a

total of \$768k. This is in large part due to a reallocation of debt service for the USDA Phase III loan that is now shown in the Capital Improvements Fund. We have also included funding For Clearview if Council so chooses. The Capital Improvements, I the WW Fund, is the 3rd new item for FY24. As in the Grants Fund, this fund has been created for clarity and transparency. The USDA Phase III project has been moved to this fund to establish a better financial record for this project. This is a \$4.7MM project with a \$3.7MM from a USDA grant and \$947k is a USDA loan. Mrs. Tarr advised that in conclusion she will continue monitoring the City's budget and bring any amendments to Council for approval. She then thanked the Council and Staff for their help, hard work, and their support through the budget process. The Mayor inquired as to what was put aside for Cleanview, they propose to maintain all manholes and lift stations. Mrs. Tarr stated that she has currently only put aside \$25k but is unsure of the exact amount until the itemized proposal gets presented to Council. *No vote needed – information only.*

4 C. Cleanview wastewater maintenance proposal. (Matthew) *No show*

4 D. Eclipse – The only update is that we have a bid for 10 port-a-pots and are looking into liability coverage

4 E. Historic District Committee recommendations regarding Neumart (T Brown) *Tabled, other parties were not advised.*

4 F. Surplus fleet vehicles (R Nix) Mrs. Nix advised that some of the surplus vehicles that Council has agreed to sell aren't being ran therefore the battery runs down. Mrs. Nix suggestion is that Code Enforcement be allowed to switch off on which vehicle he is driving so they aren't having to stay on a trickle charger rather than having to ask council permission each time. Councilman Britton made the motion to allow Code Enforcement to drive surplus vehicles to keep the batteries charged up. Councilwoman Brown seconded the motion and the motion carried 3-0 votes.

TB – aye

DB – aye

RK – aye

4 G. Offer mulch for free to citizens of Ingram (R Nix) Mrs. Nix asked Council if the mulch that is stored below the VFD can be offered to the citizens of Ingram for free per the Public Works Supervisor's suggestion. Councilman Kimbrough made the motion to give the mulch away. Councilwoman Brown seconded the motion and the motion carried 3-0 votes.

TB – aye

DB – aye

RK – aye

4 H. Recommend that the 2009 White Chevrolet Tahoe go to auction. (R Nix) Mrs. Nix suggested that this vehicle be the next one taken to auction due to it now having over 200k miles on it. Mrs. Nix also asked if the vehicles can be taken to the Washtub again to be cleaned up. The Mayor asked to check into using the gentleman at Exxon to clean them instead so that we're using a local business. Mrs. Nix advised that TML Legal advised that the Dodge Truck can be used as a trade in to purchase the 1 ton truck that has been discussed for Public Works use. Councilwoman Brown made the motion to take this vehicle to auction. Councilman Kimbrough seconded the motion and the motion carried 3-0 votes.

TB – aye

DB – aye

RK – aye

5. ORDINANCES AND RESOLUTIONS:

5A. The City of Fredericksburg noise ordinance (R Nix) Mrs. Nix provided Council with the City of Fredericksburg's ordinance regarding the use of decimal readers, time periods and no amplified sound after a certain time period like that city uses per some requests to revise our ordinance. *Tabled in order to show our current ordinance along with Fredericksburg's.*

6. STAFF REPORTS:

6 A. City Secretary (R. Nix)

Please find attached in your packets the current expenditures from the last 30 days and last week's payroll.

Bids have been requested from subcontractors for tree removal, fencing and welding. These services are in regard to the property next door that is just too much for our public works personnel to deal with due to the extent of work that's needed on our infrastructure.

By the hate mail I have subsequently received, I'm guessing that I ruffled some feathers after addressing the Kerr County Commissioner's Court. Here are two emails that I received on Friday while I was out of town at a Texas Municipal Clerk meeting.

Email: Stuart Gross is reportedly acting in the capacity of a Code Enforcement Officer. Gross is not licensed by the State of Texas, nor has he completed training. The West Kerr County Current Dated Thursday, August 17, 2023, page 2. "The City Code Enforcement officer," advised that there was an open fire on the ground." Gross and the city of Ingram are in violation of the administrative code! If a person or entity violates any provision of Texas Occupations Code, Chapters 51 and 1952, this chapter, or any rule or order of the commission or executive director, proceedings may be instituted to impose administrative penalties, administrative sanctions, or both in accordance with the provisions of Texas Occupations Code, Chapter 1952; Texas Occupations Code, Chapter 51; and any associated rules.

Response: Ma'am I cannot help what other people write. Stuart Gross's title with the City of Ingram is just "Code Enforcement." His vest reads only, "Code Enforcement." He patrols the city looking for ordinance violations and leaves premade door tags requesting that violations be rectified. Citizens have 10 days to comply. After that, if no improvement has been attempted then an Ingram Police Department Officer would issue a citation.

You may be interested in reading "Texas Administrative Code, Title 16 Economic Regulation, Part 4 Texas Department of Licensing and Regulation, Chapter 62 Code Enforcement Officers, Rule 62.20 Registration Requirements – Applicant and Experience Requirements – which states that not only must a code enforcement officer applicant pass the required examinations, but that they all must possess at least one year of full-time experience in the field of code enforcement on the date the application is filed with the department." That being said, Mr. Gross only works part-time because our City isn't large enough to justify a full-time position. Hence, his title will continue to remain that of just "Code Enforcement" with tickets being written by Ingram Police Department Officers.

Mr. Gross is also a resident of Ingram who wants our City to become more appealing to visitors. Therefore, while he is driving around the city limits of Ingram, he also picks up trash that he sees on the side of the road.

Email: The City of Ingram pays the Ingram Volunteer Fire Department roughly 13,000 annually. (Per the budget posted on their website)

The city uses tax money to pay the Ingram Volunteer Fire Department. Emergency Services District 1 provides money to the Ingram Volunteer Fire Department. The ESD receives money from the citizens of Ingram. This sounds like Ms. Nix's idea of "Double Taxation." (who made her an expert??) "Google"??

Ms. Nix, The city pays the volunteer fire department and the FD collects money from the ESD.

You can't have it both ways. Your lack of professionalism last Monday at the commissioner's court is an embarrassment to your profession.

Response: I appreciate your opinion Ma'am. You are correct that the citizens of Ingram were being double taxed due to Council previously being advised that they had to pay money to the fire department. The previous payouts were before the start of my tenure as City Secretary. The last check that was paid out to IVFD was check number 10693, in the amount of \$1,100.00 on 08/31/2022. The amount of \$13,000.00 was left as a line item for historical purposes, but there have been no payments made which will be reflected under the FY 23 Actuals and Estimates once our new budget has been approved. Our new FY 2024 budget proposal still lists IVFD, again for historical purposes, but this time there are no funds listed at all. However, in the meantime, if you go back to our website, under the Financials tab, City of Ingram Expenses and open every download regarding FY 23 Expenses you will see that there have not been any payments made to IVFD in this fiscal year.

My goal since taking the position of City Secretary, as is the City Council's position, is to ensure that the citizens of Ingram are treated with respect and that their interests are always first and foremost when it comes to how their tax dollars are spent. Yes, I am new to this role which is why the first thing I did upon becoming City Secretary was to reach out to the Texas Municipal Clerks Association for help and guidance. I have attended seminars and conferences regarding Municipal Clerk, Government Finance, and Human Resource duties to better understand not only my many different roles, but to provide the best possible services for the City of Ingram and our residents.

6 B. Police Report (O Arnim) *Not Available*

7. **OLD/NEW BUSINESS INFORMATION AND DISCUSSION:** *None*

8. **ITEMS FOR FUTURE AGENDAS:** Side by Side views of the City of Ingram and the City of Fredericksburg's noise ordinances.

9. **EXECUTIVE SESSION:**

Mayor Jordan called to go into executive session at 6:41p.m.


10. **ACTON ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

Mayor Jordan called the meeting back into regular session at 7:20 p.m. with no decisions made in Executive Session.

ADJOURNMENT: Councilman Kimbrough made the motion to adjourn the meeting at 7:20 p.m. Councilman Britton seconded the motion and the motion carried 3 to 0 votes.

TB – aye

DB – aye
RK – aye

Approved By:  August 31, 2023
Claud Jordan, Jr., Mayor

Attest: 
Ruby Nix, City Secretary