

# CITY COUNCIL

## OCTOBER 11, 2016

### MINUTES

The City Council of the City of Schulenburg met in special session on Tuesday, October 10, 2016, at 6:00 P.M. in the Council Chambers, 607 Upton Avenue, Schulenburg, Texas. Elected officials present included Mayor Roger Moellenberndt, and Aldermen Rodney Gresser, Arnold Stoeber, Harvey Hercik and Larry Veselka. City Staff included City Administrator Tami Walker, City Attorney Monte Akers, Candace Berger, Darryl Moeller, Jason Strickland and Officer Cody Weiser. Visitors included the following: David Kalmus, Andy Behlen, Johnny Fowlkes, Otto Kocian, John Schindler, Brenda Rehak, Douglas Behlen, Frank Wick III, Jimmy Vanicek, Lisa Mederos, Mary Ramirez, Jeannie Mican, Brian Lux, Marcia Hrnrcir, Jon Beebe, Chad Zimmermann, Roland and Theresa Kalina, Shirley Machicek, Debbie Klesel, Claire Ivy, Debbie Hall, Holly and Mike Czimskey, Mike Stroup, Willie Meyer, Barbara Hammontree, Reta Hercik, Billy and Monica Dunsworth, and Howard Wagner.

Mayor Moellenberndt called the meeting to order while Candace Berger led the group in prayer.

City Attorney Monte Akers opened the meeting with an overview of council actions taken in the last couple of weeks. He stated that in a Type A General Law city and according to Section 201.023 of the Local Government Code, a single vacancy on the city council can be filled by an appointment; however, if there are two vacancies, a special election must be called. At the 10/3 meeting, it was voted by a 3 to 1 vote to appoint Brenda Rehak to fill the vacancy created by the resignation of Alderman Douglas Behlen, Place 2. At the conclusion of that meeting, Alderman Harvey Hercik turned in his written resignation. Ms. Rehak took the Oath of Office on Monday, October 10, 2016. Also, on Monday the 10<sup>th</sup>, Mr. Hercik withdrew his resignation for Alderman Place 4. At this time, the City Council is fully staffed with no vacancies. Roland Kalina and John Schindler interjected derogatory comments. Kalina also challenged the notary who swore in Ms. Rehak.

Mayor Moellenberndt then called the first, Roland Kalina, of four who signed up to speak under Presentations by Citizens. After unsuccessfully trying to use the podium mike to play the recording of the minutes from the previous meeting, he used the mike by the Mayor, to demonstrate that the agenda item took one minute, thirty-one seconds. He called it wrong, unethical and a railroad job.

Jeannie Mican was the second speaker who expressed her disappointment in the a council that appears "too comfortable" in their positions and should represent the citizens and voters who put them there. She has been involved in city government for more than 20 years and is familiar with the ins and outs. She stated Schulenburg is a "laughing stock" right now and wants the council to work for the betterment of Schulenburg and not their paychecks.

Brian Lux stated that Douglas Behlen needed to be held accountable for funds collected and wished he would have chosen to serve without pay. He is disappointed in the Mayor for not opening up the discussion. The council needs leadership which the Mayor is lax in and needs to demonstrate as a fellow

Aggie should. He too stated that Schulenburg is the "laughing stock" of the local towns. He also addressed the local property tax issues facing our citizens with raising the tax rates at the county, school, local levels, the passing of the bond issue and the outrageous appraisals to which if you cannot pay your taxes, the city, county and school will cease your property.

Chad Zimmermann then took the floor. He spoke about EDC and jobs to fill the empty buildings, no good paying jobs for kids to come back to, too low of paying jobs to raise families on, tax incentives, real estate to high, clean up town, HOT funds, everyone aware of "double dippin' Doug", city working on private projects – free open government, replace attorney – bad advice and retirement town – "Schulenburg a great place to die".

Although not signed up under Presentations by Citizens, Johnny Fowlkes congratulated the Mayor for calling the meeting – admitted a mistake and trying to do the right thing. He stated that the voters spoke loudly for change, don't cram things down their throats, good when not everyone thinks alike or acts alike – diversified – need some young blood.

Douglas Behlen apologized to group for causing the issues at hand. Stated that Alderman Stoever caused the problem by not passing the bill submitted. He also offered to serve without pay but Mayor asked him to resign. He cited that when on the council, they would never have considered filing a position with someone from another seat that had been defeated.

Mayor Moellenberndt commended Mr. Behlen for having done a great job while on the council but "the waters were getting pretty hot" and did not want all of the controversy about to happen. He would have recommended the seat stay open.

Alderman Hercik thanked his supporters for their encouragement and support with the tough battles yet to come. He will have no help from the council and may need their help in the future. He felt this action was one of cronyism that took away the rights of the voters, was done behind his back and usurped the voters.

There being no further business, Alderman Veselka made a motion, seconded by Alderman Stoever to adjourn the meeting at 6:33 P.M. The motion passed unanimously.