

**CITY OF SCHULENBURG  
SCHULENBURG, TX  
November 15, 2021**

The City Council of the City of Schulenburg met in regular session on Monday, November 15, 2021, at 6:00 P.M. in the Council Chambers located at 607 Upton Avenue, Schulenburg, Texas. The elected officials present included Mayor, Elaine Kocian, Aldermen, Greg Thomas, Wendy Fietsam, Larry Veselka, Ben Herzik, and Clarence Ahlschlager. City Staff present were City Administrator, Tami Walker, Operations Manager, Darryl Moeller, Billing Manager, Megan Bartos, Permitting Officer, Kenny Schramek, and City Secretary, Mason Florus.

Visitors included, Darrell Vyvjala of the Schulenburg Sticker, Pastor J.P. Kessie of St. Paul's Presbyterian Church, Nancy Tinsley, Jeremy Baumgarten, Walt Irwin, Loreta Baumgarten, Holly Irwin, Theresa Kalina, and Iván Velasquez.

Mayor Kocian called role and led the Pledge of Allegiance. Pastor Kessie said a prayer over the meeting and its members. Paster Kessie also invited Council to the Community Thanksgiving Service being put on by the Ministerial Alliance on Sunday, November 21<sup>st</sup> at 6:00 P.M.

Alderman Veselka made a motion, seconded by Alderman Herzik, to accept the Consent Agenda. The motion passed unanimously.

- (A) The minutes from the Regular Scheduled Meeting on November 1, 2021
- (B) The payment of current bills

Schulenburg RV Park Representative, Jeremy Baumgarten, addressed Council with issues related to his business and personal property.

Mr. Baumgarten passed out information packets to Council. (Name of Firms) Mr. Baumgarten wanted to highlight discrepancies he's seen between The Texan and City Ordinances.

Mr. Baumgarten claims there are 29 violations of ordinances citing Ordinances 6.14, 6.17, 6.02.001, and 8.04.001.

Mr. Baumgarten stated that Ordinance 6.13 "Clearly" calls for a fence to be built around the Texan construction site. Mr. Baumgarten continued that Ordinance 6.14 calls for multiple traffic and environmental studies that the City failed to conduct before issuing The Texan permits.

Mr. Baumgarten brought up the sound study that was conducted and expressed his concerns over the nuisance of light and noise pollution that would be produced by The Texan. Mr. Baumgarten cited ordinances 8.06.003 and 8.06.004 calling for the City's duty and enforcement of nuisance.

Alderman Fietsam asked if the RV park had similar issues when O'Reilly's was being built. Mr. Baumgarten replied there was only a drainage issue but we worked it out amongst ourselves.

Alderman Veselka asked if there is construction all night long at The Texan. Mr. Baumgarten replied no, but once The Texan is built there will be no relief.

Alderman Veselka asked Mr. Baumgarten where he expects the fence to be built. Mr. Baumgarten stated that behind the storage buildings the east side of his property line borders The Texan property line.

Billing Manager, Megan Bartos provided Council with a map of the properties.

Mrs. Walker stated that the piece of property in question is platted as a separate piece of property and there is no work being done and no permit on the property in question. In addition, the RV Park, Storage Units, and Mish Mash Mall are all zoned commercial.

Mr. Baumgarten stated that this is a small thing to ask, especially when it is required by ordinance stating it is "reasonable and just." Mr. Baumgarten also claimed he reached out to Brian (owner of The Texan) twice and he refused to communicate.

Mrs. Walker stated that the 29 accusations of discrepancies involve situations where State Law trumps Local Law. Mrs. Walker continued stating that TxDOT conducted all the studies brought up by Mr. Baumgarten and nuisances are a code enforcement issue that will be addressed through the Police Department. Mrs. Walker stated that she believes City Hall has the right answers and they're not welcome, and she stands behind her staff 100%.

Alderman Veselka exclaimed the City has done everything we're supposed to as far as the attorney says. Alderman Veselka continued stating it's hard to assume what will happen, after The Texan is built, we will see what kind of neighbors they'll be.

Mr. Baumgarten stated that this was only some of his concerns and his property value has already dropped, he's just trying to protect himself. Mr. Baumgarten thanked Council for their time and returned to his seat.

Mrs. Walker led discussion on setting a workshop date to discuss the future of garbage and roll-off service for the City.

Alderman Fietsam made a motion, seconded by Alderman Thomas, to have a workshop November 29, at 6:00 P.M. in the Council Chambers. The motion passed unanimously.

Mrs. Walker led discussion on cancelling the December 20<sup>th</sup> meeting due to the Christmas holidays. Mrs. Walker stated that we usually do this every year and this time of year there isn't much going on.

Alderman Veselka made a motion, seconded by Alderman Herzik, to cancel the December 20<sup>th</sup> meeting. The motion passed unanimously.

Mrs. Walker led discussion on only having one January meeting. Mrs. Walker stated that we are closed January 3<sup>rd</sup> and 17<sup>th</sup> in observance of New Year's Day and Martin Luther King Jr. Day respectively. Mrs. Walker is proposing one meeting on January 18<sup>th</sup>.

Alderman Herzik made a motion, seconded by Alderman Ahlschlager, to accept Mrs. Walker's proposal. The motion passed unanimously.

Operations Manager, Darryl Moeller, reported the following to Council:

- Electric Department changed poles, street lights, lights at the library and BBQ Pits, and ran a wire across 90
- Street Department put in a crosswalk in Wolters Park. The apron on North Upton is complete, 145 flags were put up for Veterans' Day, and they built additional stands for the extra flags
- Water and Wastewater is officially one department now with Eric Cullen as the superintendent. The department repaired a 6-inch water leak at the Sports Complex, worked on lifts stations at Contech and DFA, repaired a 6-inch water leak at The Texan, and read meters

City Administrator, Tami Walker, reported the following to Council:

- November 9<sup>th</sup>, attended an insurance meeting with Mason
- November 10<sup>th</sup>, CDDP fund of \$47,855 was awarded to the Fire Department for their station expansion project
- November 11<sup>th</sup> the office was closed in observance of Veterans' Day
- City Hall will be closed on the 25<sup>th</sup> and 26<sup>th</sup> for Thanksgiving
- November 30<sup>th</sup> and December 1<sup>st</sup> Chief, Mason, and myself will attend an Open Records Training in Austin

Alderman Fietsam wanted to mention she believes that the City needs to think about hiring an inspector again. Mrs. Fietsam stated she wants to see more consistency around town.

Alderman Veselka made a motion, seconded by Alderman Herzik, to adjourn the meeting at 7:04. The motion passed unanimously.