

MINUTES
BALMORHEA CITY COUNCIL
REGULAR MEETING
JULY 10, 2023

MEMBERS PRESENT: MAYOR JOHN L. DAVIS, IKE WARD, JOY LEWIS, BERNADETTE PORTILLO,
ROSA DOMINGUEZ, JOSUE MENDOZA (EXIT MEETING 7:26 PM).

MEMBERS ABSENT: NONE

STAFF PRESENT: SANDRA NAVARRETE, ESEQUIEL DUTCHOVER, GREG PERRIN-ABSENT

VISTORS: RONALD LEE

1. The meeting was called to order by Mayor John L. Davis at 7:07 pm.
2. Mayor John L. Davis led the Pledge of Allegiance.
3. Bernadette Portillo made a motion, seconded by Josue Mendoza to approve minutes for June 12, 2023. Motion Carried 5-0.
4. Ike Ward made a motion, seconded by Josue Mendoza to approve bills and adjustments as presented. Motion Carried 5-0.
5. Reports
 - A. Ronald Lee presented an operational report for June 2023 to City Council. Mr. Lee advised that the work continues at the station and it looks like it will be ready late September 2023. This is due to a massive shortages of employees.
 - B. City Clerk reminded Mayor and City Council of TML quarterly meeting in Odessa. If anyone is interested in attending you must let the office know no later then Wednesday.
 - C. Greg Perrin was not present. Mayor Davis stated that the work at the sewer ponds was coming along. The valve has been put in and we will not have to continue to rent the pump. Mayor added that the company that is working out never comes to the office to give an update, unless you drive out there.
6. Elizabeth Cook was not available. Mrs. Cook was not feeling well would like to reschedule for the following month. Ike Ward made a motion, second by Bernadette Portillo to table item 6 until next month. Motion Carried 4-0

7. Mayor Davis explained that the only changes to the curfew ordinance would be the time of the curfew from 10:00 pm to 11:00 pm Monday-Friday and 12:00 am on Saturday or Sunday. City Park hours need to be included because when the Municipal Court starts going we cannot file on anyone because none of the information is in the ordinance. Rosa Dominguez asked, "Why hadn't any of these ordinances been revised?" Mayor responded, because it has not really been a problem until now that parents don't know where their kids are at. The parks need to be included, because get permission to use the parks and there needs to be a time on the Parks also. Bernadette Portillo asked, if this would also include the school grounds. Mayor Davis added, being that the School is private property, the School would have the option to file on the parents if they wanted to. What we are doing is making these changes so that any law enforcement can enforce these ordinances. There is no state law curfew, it is a municipality deal. Reeves County has a curfew and they can enforce it, if they wish to. We want to get our municipal court in place so it doesn't have to go to the county and the revenue stays here. Joy Lewis asked if the city would have to have an officer to enforce this and the Mayor responded, no. What will happen is that it will turn into a civil matter. Mrs. Lewis asked, what kind of expense would we have or do we have a grant. The Mayor responded, the only expense we will have is 5 days of training. Training is coming up in the month of December. If election time changes everything then that might throw a monkey wrench in. The City of Balmorhea needs to stand on their own. There are more opportunities and funds as you try to go further with these ordinances. Mayor explained that the city doesn't really want to prosecute, we want to fine them. Ms. Portillo stated this would only happen if they would commit this offense excessively. When this ordinance was issued the park information was not added. If we call the county wanting them to enforce the ordinance due to the fact that they are kids hanging around the park after hours it needs to be added on the curfew ordinance. When the ordinance was originally written the park information was not added. The only change on the noise ordinance would be to add a decimal level chart. The music in the park also needs to coincide with the hours of the parks. The City of Balmorhea prohibits anyone playing loud music in residential areas between the hours of 10:00 pm to 8:00am Sunday-Thursday and 11:59 pm to 8:00am Friday and Saturday. The only exception to this rule is during festivals or special events with council authorization. The park ordinance was revised in October 2022 and needs to be approved. Mayor Davis stated that there should be no drinking in the park. It should only be allowed during the fiestas. On the large truck ordinance we used sections from the Texas Local Government code. At this time we need to identify them and add them correctly. The sections that need to be added are section 522.003, 541.201, 545.307, 545.308. Section II. RESTRICTIONS FOR LARGE TRUCKS item A. Large trucks are prohibited on the following streets (prohibited streets); unless delivering, or a resident in the designated area. Mayor added, that large trucks need to stay off of our smaller streets due to our bridges being knocked down.. Houston Street and Austin Street can be used at a safe speed. Rosa Dominguez asked the council who is responsible for the bridges. City Clerk responded, that the city had refurbished them awhile back but this last time Reeves County Water District had done the repair. Mayor Davis added, the city needs to measure the strength of our bridges. Rosa Dominguez made a motion, seconded by Bernadette Portillo to make amendments to ordinances as presented. Motion Carried 4-0.

8. Mayor Davis suggested that the council read the Texas Transportation Code and create and adopt an ordinance that states we will allow ATV's on public roads but will have to be a licensed driver and meet Texas Code. All ATV's must be equipped according to State Law. Mayor Davis added that this will be a starting point and the City will continue to do research and will present it when complete for adoption. No action taken.
9. Mayor Davis stated that the city will be creating a municipal court and updating the ordinance was a must in order for it to work out. The city will be able to enforce our own ordinances. The Mayor has the authority to be the judge of the municipal court but training is required. A Municipal Clerk will be needed and training will also be required. Training will be offered in December in Austin and we plan to attend. Mayor Davis explained if the city gets a municipal court we can enforce our ordinances without having to go through the county. The little of cash flow is not to target citizens but to send the message out that we are not tolerating it. The city needs to stand on their own and make the citizens more responsible. This will also give us opportunity for grants.
10. Mayor Davis stated that the Balmorhea Festival Vendor application needs to be revised. Mayor Davis asked the council if they wanted to continue having 3 day festivals or go back to a 2 day festival. Joy Lewis stated that the city needs to get away from the Fridays. Mayor Davis added that the city needs to get away from the Friday because in the past that day was only designated to mark spaces, close street and allow vendors to set up after 5:00 pm. Mayor Davis added that this new version of application has changes on when to collect monies from vendors. Money will be required to be mailed in 2 weeks prior to the festival. For audit purposes with will no longer collect fees day of the event or out on the field. No personal deposit checks will be accepted. We will take money orders, cashier checks or cash. A \$50.00 clean up will be required from each vendor. Once the event organizer confirms the area is clean the city will mail the deposit back to the vendor. Vendor fee will be \$375.00 which includes a city vendor fee. Mayor Davis asked if the council agreed to these changes and if there is no further questions this would be the new vendor application with council approval. Bernadette Portillo made a motion, seconded by Ike Ward to approve new vendor application & rules and regulations. Motion Carried 4-0.

EXECUTIVE SESSION


(8:38pm) Bernadette Portillo made a motion, seconded by Ike Ward to go into executive session. Motion Carried 4-0.

OPEN EXECUTIVE SESSION

11. (9:03pm) Mayor Davis explained that there had been 3 applications for the part time assistant clerk position and 4 for water operator. Bernadette Portillo made a motion, seconded by Ike Ward to hire Jeanette Ballesteros as part time assistant clerk and schedule David Fuqua for an interview for the water operator position. Motion Carried 4-0.

12. Joy Lewis made a motion, seconded by Ike Ward to adjourn meeting at 9:19 pm.
Motion Carried 4-0.

PASSED AND APPROVED THIS 14 DAY OF AUGUST, 2023.



JOHN L. DAVIS, MAYOR



SANDRA NAVARRETE, CITY CLERK