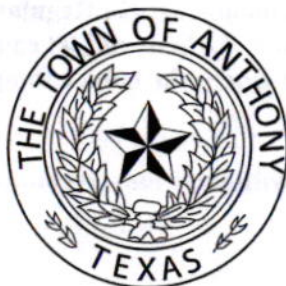


HONORABLE MAYOR
Anthony David Turner, MPH

MAYOR PRO TEM
Louie Alfaro, Place #4

COUNCIL
Alicia Stevens, Place #1
Shawn Weeks, Place #2
Soledad Flores, Place #3
Eduardo Chavez, Place #5



MINUTES

Town of Anthony, Texas

Monday, September 25, 2023
REGULAR MEETING
at 5:30 p.m.

Anthony Town Hall,
401 Wildcat Drive
Anthony, Texas 79821

Notice is hereby given of a regular meeting of the Town of Anthony Council, to be held on Monday, September 25, 2023 at 5:30 p.m., Town Hall, 401 Wildcat Drive, Anthony, Texas 79821, for the purpose of considering the following agenda items. All agenda items are subject to action. The Town of Anthony Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 CALL TO ORDER- Mayor called meeting to order at 5:32 pm.

2.0 QUORUM

Councilwoman Stevens- Yes

Councilman Weeks-Yes

Mayor Turner- Yes

Mayor Pro Tem Alfaro- Yes

Councilwoman Flores- Yes

Councilman Chavez- Yes

3.0 PLEDGE OF ALLEGIANCE- Mayor Turner Led the Pledge of Allegiance

4.0 PUBLIC COMMENTS AND RECEIPT OF PETITIONS: *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed two minutes. No Council discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law – GC, 551.042.]*

No one signed up for public comment.

5.0 Approve the Minutes of the following Town of Anthony Council Meetings:

- 08-28-2023 Regular Town Council Meeting
- 09-11-2023 Regular Town Council Meeting - pending

- 09-15-2023 Special Town Council Meeting – pending

Councilwoman Stevens requested to add on 08-28-2023 Regular Town Council Meeting Minutes, that Chief Enriquez took the time to review the loan and let council know that the loan has not been approved therefore council can change it where the bank can approve as long as the town needs equipment.

Councilman Weeks motions to approve with additions, seconded by Mayor Pro Tem Alfaro. Motion passes 5-0.

6.0 Public Hearing

- 6.1 Public hearing on adopting General Fund and Water & Sewer Fund budget for the fiscal year 2024 commencing October 1, 2023 and ending September 30, 2024 for the Town of Anthony, Texas

15 minute timer for public hearing

7.0 New Business:

- 7.1 Discussion, consideration and action on an Ordinance for General Fund and Water & Sewer Fund budget for the fiscal year 2024 commencing October 1, 2023 and ending September 30, 2024 for the Town of Anthony, Texas

Councilman Chavez asked if this budget includes water and sewer department and Town Clerk mentioned it did include Water and Sewer budget. Councilman Weeks asked if the budget is approved as a whole, since they didn't approve anything during workshops, they only discussed some changes. Town Clerks mentioned that the changes requested during workshops were made. The Accounting Manager stated that the only change that was made was the wording on the capital improvement loan. Councilman Weeks motions to approve budget for fiscal year 2023-2024 seconded by Mayor Pro Tem Alfaro. Motion passes 5-0.

- 7.2 Discussion, consideration and action on Anthony Texas Municipal Court Magistrate Contract

Chief presented the contract for the municipal judge and notified the only change is the contract is extended to 3 years and asking 3% after the first year and every year subsequently after that. The town attorney stated that this is not the standard contract. Councilman Weeks motioned to postponed item to next council meeting so the attorney can review, seconded by Councilwoman Flores. Motion passes 5-0.

7.3 Discussion, consideration and action on amending Ordinance 2010-466 Prohibiting vendors from operating upon or conducting the sale of goods and products on municipal property and right-of-way and parks within the town limits of the Town of Anthony, Texas

Chief mentioned that the original ordinance stated that it does not allow vendors to operate in any municipal property and the only change for this ordinance would be that it would allow council to approve vendors to sell at municipal properties. Councilman Chavez demonstrated concern because he stated that there is an individual that started as a food truck and has turned it into a restaurant. Councilman Weeks stated that they are doing it in private property and this ordinance is regarding municipal properties. Chief mentioned this business owner is in compliance with getting the required permits to operate in the Town of Anthony. Councilman Weeks stated that if council approves, it will allow food trucks to park in park events and the farmers market. Chief mentioned that the current ordinance stated that no vendors are allowed in municipal properties if approved this will allow council to change it and allow them in municipal properties. Mayor Pro Tem Alfaro motions to approve seconded by Councilman Weeks. Motion passes 5-0.

7.4 Discussion, consideration and action on amending Ordinance 190 Establishing the regulation of rates and fees for occupational licenses and permits

Chief mentioned that this ordinance was approved back in 1974 it is still holds deed but after meeting with a subject matter expertise, they found that the clause that food trucks need to have, insurance needed is not in the ordinance and it only has a \$1,000 bond. Legal council was reached out, the bond is still set to \$1,000 and insurance was missing. What the town would be adding is an insurance set to \$1 million insurance policy. Councilwoman Flores motions to approve seconded by Mayor Pro Tem Alfaro. Motion Passes 5-0.

7.5 Discussion, consideration and action on creating a food truck park on municipal property; within the Town of Anthony, Texas

A presentation was given by Justin from the Buddies Beer Barn from El Paso Texas. He was reached out to by the Mayor and Chief about potentially creating a food truck park on Wildcat Park in front of Anthony High School. Justin stated that it can fit 10 food trucks and will create great revenue for the Town of Anthony. Isael, Public Works

Superintendent provided a PowerPoint of a potential development at Wildcat Park with an open concept for potential concerts, a splash park, a playground, and the food truck park. Buddies' charges rent fee of \$650.00 for the food truck space including utilities per month and saves their menu. Councilwoman Stevens asked if the town is responsible for security and Justin stated that it falls in the food trucks insurance that security is provided but that's why food trucks are required to have insurance for that sole purpose. Councilman Weeks shows concern with the zoning about where will people be going to the park? The Chief stated the lot behind the potential food truck park and possibly talk to AISD Superintendent of potentially using their overflow parking lot from their high school. The operating hours would possibly be 10am to 11pm or close at 10pm during the week and 11pm during weekends. Councilman Weeks motions to approve item, seconded by Mayor Pro Tem Alfaro. Motion passes 5-0.

- 7.6 Discussion, consideration and action on installing a speed bump on Bell Gordon Street and Bariloche Street

Councilwoman Stevens stated that residents have approached her on a possibility to install a speed bump on Bell Gordon and Bariloche street. Residents are concerned because people are constantly speeding. Councilman Weeks stated that the Council doesn't need to approve a speed bump, the Chief and the Public Works Superintendent can decide if a temporary speed bump will be ok. The Superintendent strongly recommends installing a speed bump because he did see people speeding and the Attorney stated that that street is not part of TXDOT jurisdiction and the town would be able to install a speed bump, however the town will be liable for any obstruction in the streets. Attorney does say that there are other alternatives that are not an obstruction like flashing lights, or signs that say children are present, or slow down. Councilman Weeks motions to no action item, seconded by Mayor Pro Tem Alfaro. Motion passes 5-0.

- 7.7 Discussion, consideration and action on a compensation increase for Town Attorney, Enrique "Henry" Palomares

The Town Attorney asked if line item 7.7 could be postponed until after the closed session. Councilman Weeks motions to postponed seconded by Councilman Chavez. Motion to approve 5-0.

Attorney Palomares mentions that his compensation at \$2,500 for 20 hours when he was hired 8 years ago. He stated that his rate as an attorney is \$350.00 an hour and an increase from \$2,500 to \$3,500 would put him at half of his normal private hour rate. Councilman Weeks mentioned it would need to be bring back to next council meeting because budget just got approved and his increase was not added into the budget. The Town Clerk mentioned that it was added to the budget. Mayor Pro Tem Alfaro motions to approve seconded by Councilman Chavez. Motion passed 5-0.

8.0 Reports

8.1 Finance- Councilman Weeks, Budget Done

8.2 Streets- Councilman Chavez asked the Superintendent if public works have received new vehicle and they had gotten insurance. Stop sign was fixed on 8th St., they did cut offs and reconnects and read meters. Cleaned storm drains and cut weeds on vacant houses.

8.3 Parks- Councilwoman Flores mentioned parks are cleaned, painted benches on municipal park, cut weeds on municipal and triangle park. Fix hole in municipal park chain-link fence. Fix the lights of the pavilion on municipal park and trim trees on Torres Alto Park. The superintendent mentions that El Paso Electric has fixed all the lights in the park some are not working because they have bad wiring, but EPE are working on getting them fixed.

8.4 Water & Sewer- Councilwoman Stevens mentioned that the clarifiers were deep clean at wastewater plant, cut weeds at the wastewater plant. Installed a new sensor on scum box at the wastewater plant. A new sludge judge was bought for the wastewater plant.

8.5 Anthony Texas Police Department – Mayor Pro Tem Alfaro mentioned nothing to report, Chief mentions that PD volunteered at the Angel Fund Event with the West Valley Fire Department. In October PD will participate in other events. There will also be a car show benefiting PD will be donating toys as an entry fee to benefit the operation Santa Drop. Received over 100 pieces of Narcan from the Texas Department of Emergency management. The Chief wanted to thank PD, Town Clerks and his secretary for volunteering at the Angel Fund Event.

8.6 Municipal Court- **Mayor Pro Tem Alfaro, nothing to report.**

8.7 Administration – **Mayor Turner would like to thank the department heads for working together with the budget.**

9.0 The Town Council will go into a closed executive session pursuant to Section 551.074 (personnel matters) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or charge against an officer or employee; the open meeting will be reconvened following the closed session at which time action, if any, will be considered.

9.1 Town Council will go into closed session to deliberate the appointment, employment, evaluation, reassignment, and duties on Code Enforcement Officer for the Anthony Police Department (Gavin Ramirez)

9.2 Town Council will go into closed session to deliberate the appointment, employment, evaluation, reassignment and duties on Communications Officer for the Anthony Police Department (Analeise Estrella)

9.3 Town Council will go into closed session to deliberate the appointment, employment, evaluation, reassignment and duties on Police Officer for the Anthony Police Department (Analyz Zamora)

The Town Council went into closed session at 6:56pm.

The Town Council will go into a closed executive session pursuant to Section 551.087 (Deliberation regarding Economic Development) of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1); the open meeting will be reconvened following the closed session at which time action, if any, will be considered.

9.4 Town Council will go in closed session to discuss economic development: 892 acres, 900 Ginger, L.P. and Exit 0, L.P.

The Town Council will go into a closed executive session pursuant to Section 551.071 (Consultation with Attorney) of the Texas Government Code to seek the advice, consult and discuss with its attorney about a pending or contemplated litigation; the open meeting will be reconvened following the closed session at which time action, if any, will be considered.

9.5 Town Council will be in closed session to seek advice, consult and discuss with its attorney about Town of Anthony's pending eviction litigation against Robert Lopez related to the Town's property municipally identified as 100 W. Rainbow Drive, Anthony, Texas 79821.

Reconvene into open session at 8:38pm.

Reconvene into open session and take any action if necessary:

9.1 Take action based on discussions held in closed session under Executive Session Agenda Item 9.1

Councilman Chavez motions to approve on hiring Gavin Ramirez as the Code Enforcement Officer at \$14.00, seconded by councilwoman Flores. Motion passes 5-0.

9.2 Take action based on discussions held in closed session under Executive Session Agenda Item 9.2

Councilman Chavez motions to approve on hiring Analeise Estrella as the Communication Officer at \$16.00, seconded by Mayor Pro Tem Alfaro. Motion passes 5-0.

9.3 Take action based on discussions held in closed session under Executive Session Agenda Item 9.3

Councilman Chavez motions to approve on hiring Analyz Zamora as a Police Officer at \$22.00, seconded by councilwoman Flores. Motion passes 5-0.

9.4 Take action based on discussions held in closed session under Executive Session Agenda Item 9.4

No action taken.

9.5 Take action based on discussions held in closed session under Executive Session Agenda Item 9.5

No action taken.

Going back to 7.7 line Item

The next Regular Town Council meeting is scheduled at 5:30 PM on Monday, October 9, 2023.

- I. **ADJOURN MEETING –Councilman Weeks motions to adjourn meeting, seconded by councilman Chavez. Motion passes 5-0. Meeting adjourned at 8:45pm.**

MINUTES PASSED AND APPROVED ON OCTOBER 23, 2023



APPROVED BY MAYOR ANTHONY DAVID TURNER, MPH

A handwritten signature in blue ink, appearing to read "Anthony David Turner", is written over a horizontal line.

A handwritten signature in blue ink, appearing to read "Valerie M. Armendariz", is written over a horizontal line.

**SUBMITTED BY: TOWN CLERK
VALERIE M. ARMENDARIZ, MPA**