

Village of Palisades

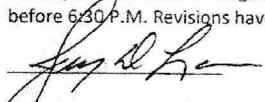
Regular Meeting Agenda for February 13, 2023

Community Center at 6:30 P.M. The Public Is Always Welcome

CALL TO ORDER:

1. QUORUM CHECK
2. PLEDGE OF ALLEGIANCE & INVOCATION
3. READING AND TAKE ACTION ON THE MINUTES FROM January 10, 2023
4. ACKNOWLEDGEMENT OF NEW RESIDENTS
3. TRESURE'S REPORT (CAROLYN LARUE)
4. P.V.F.D (CHIEF DENNIS MASSEY)
5. PERMIT CLERK REPORT (KELLY WEATHERFORD)
7. FLOOD PLAIN REPORT: (DAVE LARUE)
8. ORDINANCE REPORT: (CAROLYN LARUE)
10. NEW BUSINESS: Discuss and take action on Xcel Energy Resolution
11. Time for General Election for Mayor and 5 Aldermen
12. PUBLIC COMMENT: **EACH PERSON WISHING TO MAKE A PUBLIC COMMENT WILL BE LIMITED TO 2 MINUTES DIRECTED TO THE BOARD AS A WHOLE.**
13. MAYOR'S REPORT:
14. ADJOURNMENT:

I certify that the above Village meeting's agenda was posted on the Village Communication board on or before Saturday February 9, 2023 before 6:30 P.M. Revisions have been made according to the city attorney.


Jerry Lane, Mayor Village of Palisades

There will be a public comment sheet at the door. Please put your name and the topic you wish to discuss. When your name is called, please stand and address the board.

The Village Board reserves the right to recess into Executive Session, Section 551.074 during the regular whenever necessary.



Village of Palisades

Regular Meeting February 13, 2023

Mayor Jerry Lane called the meeting to order at 6:30 p.m.

Quorum Check: Alderwomen Sherry Simms-Fleming, Amelia Salazar, Aldermen Garry Swindell, Beau Fletcher, and Dave LaRue present.

Those in attendance prayed the Lord's Prayer and recited the Pledge of Allegiance.

Reading of Minutes: Dave LaRue made a motion to accept the minutes from the January meeting as presented by Secretary Vicki Hooker. Sherry Simms-Fleming seconded. Motion passed.

Acknowledgement of New Residents: None

Treasurer's Report: (Carolyn LaRue) Garry Swindell made a motion to accept the Treasurer's Report as read. Beau Fletcher seconded. Motion passed.

P.V.F.D. Report :(Dennis Massey) No report

Permit Clerk's Report: (Kelly Weatherford) Five permits granted in January.

Flood Plain Report:(Dave LaRue) No Report

Ordinance Report: (Carolyn LaRue) No Report

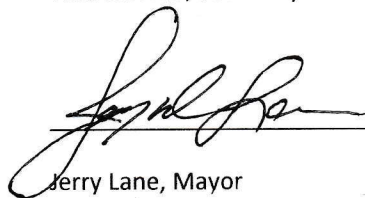
New Business: Dave LaRue made a motion to deny a rate increase by Xcel Energy. Amelia Salazar seconded. Motion passed.

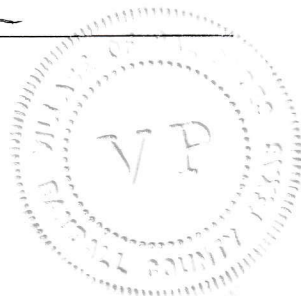
Public Comments: Resident Randy Hooker read a prepared statement and gave a copy to each Board member concerning a permit that was granted by the Village Permit Clerk to place a portable building east of 210 Canyon Creek Drive. It was placed on Palisades Club property without consent from the Palisades Club Board. Alfonso Salazar commented on this issue as well. Alderwoman Amelia Salazar made several comments about this issue, and asked for the resignation of two Board members. Carolyn LaRue displayed an email containing a letter received from the City Attorney stating, in effect, that this was not a Village issue, but was between the property owner and the Palisades Club.

Mayor's Report: Mayor Jerry Lane stated that there will be a general election on May 6, 2023 to elect a mayor and five aldermen. The deadline to submit an application for these positions is February 17, 2023. He also stated that the new HVAC system has been installed.

Adjournment: Dave LaRue made a motion to adjourn. Beau Fletcher seconded. Meeting adjourned at 6:51 p.m.

Vicki Hooker, Secretary


Jerry Lane, Mayor



VILLAGE OF PALISADES FINANCIAL REPORT January 31, 2023

	Balance	Deposits	Debits/Withdrawals
Checking Account			
Beginning Balance 1-1-2023	\$34,471.37		
Income:			
Randall County Property Tax Collections		\$746.95	
Randall County Property Tax Collections		\$1,104.14	
Randall County Property Tax Collections		\$1,081.15	
Randall County Property Tax Collections		\$1,298.50	
Randall County Property Tax Collections		\$1,841.09	
Kelly Weatherford - Permit - Pump		\$25.00	
Colt Pekrul - Permit - Pump		\$25.00	
Colt Pekrul - Permit - Shed		\$100.00	
Hondo Casarez - Permit - Permanent Structure		\$100.00	
Jerry Lane - Permit - Roof		\$25.00	
Transfer from COVID Grant to checking account		\$6,500.00	
Atmos Energy - Quarterly Franchise Fee		\$809.00	
Palisades Volunteer Fire Dept - Share of TML Insurance		\$1,533.00	
Xcel Energy - Quarterly Franchise Fee		\$2,894.44	
Total Income		\$18,083.27	
Expenses:			
Safety Light - Gate			\$28.97
Community Center - Xcel			\$74.67
Atmos Energy			\$180.79
Office Depot - Envelopes			\$42.96
Post Office - Stamps			\$63.00
Office Depot - Printing of Newsletter			\$147.22
Ck # 2299 Lee Ann Wilkinson - Community Center Deposit Refund			\$50.00
Ck # 2300 Jason Bell - Community Center Deposit Refund			\$50.00
Ck # 2301 Maverick HVAC, LLC Deposit on new HVAC system			\$6,500.00
Ck # 2302 Patty Winkelman -Community Center Deposit Refund			\$50.00
Ck # 2303 TML Member Service Fee			\$632.00
Total Expenses			\$7,819.61
Net Income for the month of January		\$10,263.66	
Ending Balance 1-31-2023	\$44,735.03		
Money Market Account			
Beginning Balance 1-1-2023	\$22,136.96		
Interest		\$23.50	
Ending Balance 1-31-2023	\$22,160.46		
COVID Grant Money Market Account			
Beginning Balance 1-1-2023	\$23,336.68		

VILLAGE OF PALISADES FINANCIAL REPORT January 31, 2023

Transfer to Checking for HVAC Project			6,500.00
Interest		\$21.44	
Ending Balance 1-31-2023	\$16,858.12		

Public Response February 13, 2023

Randy Hooker

I want to speak to you as the first mayor of this Village, as Mayor for many years after, as well as an Alderman for several years. I currently serve as a Palisades Club Officer.

First, I would like to say that Jerry has done an outstanding job as our Mayor and has accomplished many good things for the Village.

But on the issue of a building that was placed east of 210 Canyon Creek Drive, I disagree with Jerry and here are the reasons why...

Permit Issue 1/5 to move a building in to the Village city limits

On or about 1/18 I had a conversation with Jerry Lane about a building that was set on **Palisades Club property** located east of 210 Canyon Creek Dr.

He said that he would look into it for me.

Jerry called me back and told me that a permit was issued for 210 Canyon Creek Dr. for a building to be moved onto that location.

I told him again that the building was placed on **Club property**. I asked that the Village make sure that the building was moved to the location that was stated on the permit

Jerry said that he would check it out.

In our next conversation he said that he talked with TML and the city attorney and explained the issue to them. Their response was that the placement of a building is **between property owners**. I told Jerry that I disagreed, and that the **permit** says where the building is to go. I asked Jerry to send a copy of the permit and

ordinance 9 to TML and the city attorney to help settle the issue; he told me that he would.

In our next conversation he said that he sent a copy of the permit, but did not see a need to send them a copy of ordinance 9, so he did not send them a copy of it.

Then I asked Jerry if he had read ordinance 9. He said to me that he had not read the ordinance, but that this might be a good time to do so.

My question is: How can you have an intelligent conversation with TML and city attorney about ordinance 9 when you have not sent them a copy of that ordinance?

It is my belief that the Mayor was giving his opinion to TML and the city attorney on something, but it was not what is actually stated in ordinance 9.

Jerry told me it is the Village's responsibility to see that a permit is completed and returned, and then the permit is issued before a building can be moved into the Village city limits. He said it is not the Village's responsibility to see that the building is placed **at the location that is stated on permit.**

My question is: If this is the case, then why require a permit?

I ask that **two** alderman contact TML and the city attorney, and be responsible to see that they get a copy of ordinance 9 and talk to them about this matter.

I ask that you read page 99, 105 – 108

In these pages I believe it tells anyone requesting a permit **what** they must do, **what happens** if they don't do it, and **how to insure** that they are in compliance.

When I had to get a permit for a project that I wanted to do, I was required to say what the project was, where it was, and submit a drawing of what I was going to do .

Was there a drawing submitted with the permit in question at 210 Canyon Creek Dr.?

Was the Village Permit Clerk, Kelly Weatherford, given a copy of the Ordinances?

Did he (Kelly Weatherford) know at the time he issued the permit that the building to be placed at 210 Canyon Creek Dr was going to be placed on Palisades Club property? **If so, why was the Club not consulted?**

Conclusion:

Because the placement of this building east of 210 Canyon Creek Dr. is **not** in compliance with Ordinance 9, how will this be resolved so that it **will be** in compliance with Ordinance 9?

Respectfully,

Randy Hooker, Palisades Club Officer

1/26/23, 8:04 PM

in the state of Texas what is the mayor's responsibilities - Google Search

The mayor: (1) **is the "chief executive officer" of the city;** (2) **must "actively ensure that the laws and ordinances of the municipality are properly carried out";** (3) must "inspect the conduct of each subordinate municipal officer and shall cause any negligence, carelessness, or other violation of duty to be prosecuted ..."

City Council - POWERS OF MAYOR - Texas Municipal League

**Village of Palisades
Municipal Code
Chapter IX
Building**

Chapter 9 – Building

Article 9.01 – General Provisions

Sec 9.01.001 Statement of Purpose (Ordinance 2021-1)

The Village of Palisades believes that it is in the public interest to promote the health, safety and general welfare of the residents of the Village of Palisades, Texas through the equitable regulation of building and other construction activities within the Village. Accordingly, the Village has adopted the following regulations concerning construction activities within the corporate limits.

Sec 9.01.002 Penalties and Enforcement (Ordinance 2021-1)

- (A) Violation of a provision of this Code shall be considered a Class C misdemeanor and shall be punishable by a fine up to the maximum amount allowed by State Law at the time of the offense and each and every day of violation shall be considered a separate violation and penalties may be cumulative.
- (B) Commencement of construction activities prior to the receipt of an approved building permit shall be punishable by Sec 9.02.001 (E).
- (C) Injunction and Restraining Order – construction activities without a valid building permit or activities which deviate from the activities approved in a valid building permit shall be subject to a temporary injunction and/or restraining order from the Municipal Court of the Village of Palisades to cause such activities to cease and desist until a permit is issued or activities are brought into compliance with a valid building permit.
- (D) Enforcement – the Village Police Chief and his/her designees shall be the enforcement officer for the terms and conditions of this Code and separately or together with certified information from the Building Committee shall be authorized to act upon any apparent violations.

Sec 9.01.002 International Residential Code (Ordinance 2021-1)

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10.01.002 to perform any construction for which a permit is required, before having obtained the appropriate permit.

- (b) Unless specifically excepted, it is an offense punishable in accordance with Section 1.01.006 and Section 10.01.002, either to perform any construction without being registered, or to otherwise not comply with the requirements of this Article. The purpose of this Article is to preserve public health, safety, and welfare.
- (c) Unless specifically excepted, it is an offense punishable in accordance with Section 1.01.006 and Section 10.01.002, for failure to notify the Village or Village Inspector by the time of permit expiration to conduct a required inspection, or to otherwise not comply with the requirements of this Article. The purpose of this Article is to preserve public health, safety, and welfare.

Sec 9.02.002 Permit Applications, Fees & Prerequisites (Ordinance 19, 19a, 19b, 19c)

- (A) Building Permits are issued by the Building Committee
- (B) Before groundbreaking of any structure or the commencement of any alteration, the owner or registered builder shall present one set of plans and sketches of such structure or alteration to one or more members of the Building Committee and shall present a completed Application for a Building Permit in the form adopted and approved by the Committee. The plans and sketches must contain sufficient information to allow the Building Committee to verify the elevation difference between the existing grade and the proposed grade for all structures.
- (C) All plans and sketches must be accompanied by a plot plan certified by a registered surveyor of the land upon which the

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improvements are to be erected, which shall show the exact location of all proposed structures, setbacks, fences, retaining walls, patios, driveways, sidewalks, culverts, well, septic tank, septic field and any proposed removal of natural flora or boulders or any proposed fill.

- (1) Permits shall be valid for one (1) year from the date of issuance. To continue with any building or construction after the one (1) year initial permit time, the owner shall, prior to the expiration of the original permit, reapply to the Building Committee for a six (6) month extension. An application for a six (6) month extension shall be accompanied by a fee as laid out in Appendix A of this Code. Prior to the expiration of the six (6) month extension, the owner may apply to the Building Committee for a permit renewal on a month to month basis, paying the full permit amount each month.
- (2) Posting – all building permits shall be clearly posted in a location visible from the nearest roadway at all times. Construction shall be stopped at the order of the Village Police or Mayor in any location where a valid permit is not clearly displayed in a location visible from the nearest roadway.
- (3) Fees – Building Permit fees shall be charged in accordance with the latest schedule of fees adopted and approved by Ordinance by the Board of Aldermen and shall be attached to this municipal code of ordinances as Appendix A.

Article 9.03 – Building Regulations

Sec 9.03.001 Building - General Conditions (Ordinance 2021-1)

(A) Single Family Residential Construction

- (1) Any new or modified permanent structure as defined as a Single Family Residence must be construction with a minimum of 1,200 square feet under roof.
- (2) No tract/lot shall be used for more than one Single Family Residence

Village of Palisades
Municipal Code
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Building

- (3) Structures within the Village of Palisades shall be of new, permanent construction only with the exception of the use of used brick for building veneers. Nothing in this regulation shall be construed to prohibit or interfere with the application of the United States Department of Housing and Urban Development Manufactured Housing Act.
- (4) Only building materials and construction methods as referenced in the International Building Code or International Residential Code as adopted by the Village of Palisades are permitted within the Village limits. Variance requests for use of non-conforming materials or construction methods which are not listed in the International Building Code or International Residential Code must be accompanied by engineering and structural data supporting the use of the material or method.
- (5) Each Single Family Residence must have approved utility connections in the form of water well system, septic system, portable water tank, gas and/or electrical connection.
- (6) Mobile homes, travel trailers, recreation vehicles, trailer houses, camp trailers, and manufactured housing will not be allowed to move onto any properties located within the boundaries of the Village of Palisades for the purpose of habitation. Storage of recreational vehicles or camp trailers is permitted in areas outside of Flood Plain A as defined in Chapter 8 Flood (Something). Those residing in Flood Plain A must find an alternative location for storage of recreational vehicles and camp trailers.
- (7) Building pads for all structures shall not be elevated above the natural grade more than what is actually necessary and justifiable for the proposed construction. Those properties located within a

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floodplain or subject to the provisions of Chapter VII Flood Damage Prevention are exempted from this item.

- (8) Not more than three (3) outbuildings shall be constructed on the total acreage of contiguous property.

(B) New Construction Only

All Construction within the Village shall be of new material only. Upon receipt of permit for new construction and prior to final inspection, all homeowners will be required to install at least one reflective address sign showing home number for emergency identification purposes (Address Identification – See Section 9.03.001 (J)).

(C) Permanent Construction Only

All construction within the Village shall be of a permanent nature only with no moved-in or portable structures being allowed. In order to comply with the requirements of the Manufactured Housing Act, any manufactured housing shall be installed in a permanent fashion and the owner shall provide to the Village a certification from the Texas Department of Housing and Community Affairs that such manufactured housing is installed in a permanent fashion.

(D) Sanitary Facilities

During construction activities, workers shall have permanent sanitary facilities available on-site or shall have access to an approved, portable chemical toilet. No portable chemical toilet facility shall remain on-site for longer than 30 days past completion of construction. The owner of the lot being improved shall be responsible to ensure that any portable chemical toilets in use are in compliance with the relevant laws and regulations of the State of Texas and the Amarillo Area Health District.

(E) Refuse

During construction activities of any type, all construction sites shall be kept clear of refuse, trash, rubbish, or other unsightly debris.

(F) Retaining Walls

All retaining walls to be constructed within the Village that are:



Carolyn Hurt <cshurt@gmail.com>

FW: Permit question

1 message

mayor.palisades@gmail.com <mayor.palisades@gmail.com>
To: cshurt.@gmail.com

Mon, Feb 13, 2023 at 3:49 PM

From: Angelique Weaver <aweaver@mhrwp.com>
Sent: Monday, February 13, 2023 3:25 PM
To: Jerry Lane/Mayor <mayor.palisades@gmail.com>
Subject: RE: Permit question

Mayor,

My understanding of the current situation is that the Village permit clerk issued a permit to Colt Pekrul to put a storage building on his property (Lot Block 0037, 8-13), as indicated in the permit application. If this is true, then it has been done in accordance with the city ordinances. The Village only issues permits to residents to put a structure on their own property. If the permit recipient actually placed the storage building on property that does not belong to him, then that was not done with the Village's authority or permission; and would not be a problem that involves the Village. (It would be a problem between the permit recipient and the owner of the property where the storage building was placed.)

I'm not aware of any action to be taken by the Village at this time.

Please let me know if you have any questions about this.

Thank you,

Angelique Weaver

Attorney at Law

MAYFIELD, HEINRICH, RAHLFS, WEABER & PARSONS, LLP

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Lubbock, Texas 79401

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aweaver@mhrwp.com

*** Please note new firm name and email address, effective January 1, 2023***