

**CITY OF INGLESIDE
AGENDA
REGULAR CITY COUNCIL MEETING
APRIL 25, 2017**

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Luis Lamas presiding. Council Members present: Mayor Luis Lamas and Council Members Ben Tucker, Oscar Adame, Dennis Knippa, Steve Diehl, and John Schack. Council Members absent: Council Member Bill Underbrink. Staff present: City Manager Melissa Byrne Vossmer, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 30 guests.

2. Roll Call

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Mrs. Cindy Wilson questioned the size of the bleachers being installed at the ball fields at Live Oak Park. She feels they are too narrow and are not benches suitable for tournament games. She did compliment the fields, the parking lot, and the playground equipment.

San Patricio County Precinct 4 County Commissioner, Howard Gillespie provided a handout regarding HB 4275 that has more detail than the resolutions provided to City and County for approval and support. HB 4275 includes additional detail regarding Navigation, Rail, Dredging, annexation, eminent domain, and the names of the Voting Directors (of which none of them are Ingleside residents). At this point there is not much that can be done because they already have our Resolutions of Support, but he wanted the City to be aware of what was going on.

Presentations:

6. Acceptance and acknowledgement of \$500 donation from the Gypsy MC, Corpus Christi Chapter.

Shawn Kennedy with the Gypsy MC, Corpus Christi Chapter announced that each year the Gypsy's donate some denomination to the City for allowing them the use of Live Oak Park for the Cinco de Mía event and this year they are donating \$500.00.

Public Hearings:

Mayor Lamas opened the Public Hearings at 6:45 p.m.

7. Concerning an application to rezone Lts 14 & 16 Blk 1 Homeacres Subdivision from its present classification of R-1 (Single Family Residential) to C-2 (General Commercial).

Speaking in favor of the rezoning was property owner Mr. Rene Contreras. He noted this coincides with the City's Future Land Use Map.

There were no speakers against this rezoning.

8. Concerning an application to rezone Lt 1 Blk F Burton & Danforth Subdivision from its present classification of R-1 (Single Family Residential) to T1-A (Travel Trailer/RV Park).

There were no speakers in favor of the rezone application.

Speaking against this rezoning were Michael Herrera, Robert Boughton, Michelle Rodriguez, Kevin Vicknair, and Robert Boughton, Sr. Their concerns were increase in traffic, too many RV Parks in the area, beautiful homes in the area don't want an RV park next door, potential to decrease property values, narrow roadway, unleashed animals, and prefer the country atmosphere.

9. **Concerning an Ordinance amending Chapter 30 Article III – Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant Water, Sec. 30-90 – Definitions, Sec. 30-91 – Prohibited Accumulations on Private Property, Sec. 30-94 – Penalty for Violation of Section 30-92 and/or 30-93, and Sec. 30-95 Abatement – Notice to Include Updated Definitions and Enforcement for Non-Customary Outdoor Storage not defined in current Code.**

There were no speakers for or against this amendment.

Mayor Lamas closed the Public Hearings at 6:55 p.m.

Action Items:

10. **Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: Lts 14 & 16 Blk 1 Homeacres Subdivision. (First Reading)**

Council Member Knippa made a motion to pass to the second reading an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: Lts 14 & 16 Blk 1 Homeacres Subdivision: and was seconded by Council Member Diehl. The motion was approved unanimously.

11. **Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to T1-A (Travel Trailer/RV Park) and further providing for effective date, reading, severance and publication: Lt 1 Blk F Burton & Danforth Subdivision. (First Reading)**

City Manager Melissa Byrne Vossmer stated that although Council Member Underbrink could not be here tonight, he did express to her that he is not opposed to the RV Park, but not until the road is widened and sewer connections are added to the area.

Council Member Diehl noted that a few years ago the City Ordinance for RV parks was updated to be very restrictive and required a lot of amenities for the residents. He cautioned Council Members to not rule out RV parks in general with these new guidelines; however, he did agree that this area of town has a poor road no wastewater services.

Council Member Schack stated he was concerned with it being in the middle of R-1 and thereby spot-zoning. Mayor Lamas stated that other municipalities with similar City Ordinances have nice RV parks next door to R-1 areas and it works well.

Council Member Knippa made a motion to deny the Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to T1-A (Travel Trailer/RV Park) and further providing for effective date, reading, severance and publication: Lt 1 Blk F Burton & Danforth Subdivision: and was seconded by Council Member Adame. The motion was approved unanimously.

12. **Consideration and action of an Ordinance amending Chapter 30 Article III – Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant Water, Sec. 30-90 – Definitions, Sec. 30-91 – Prohibited Accumulations on Private Property, Sec. 30-94 – Penalty for Violation of Section 30-92 and/or 30-93, and Sec. 30-95 Abatement – Notice to Include Updated Definitions and Enforcement for Non-Customary Outdoor Storage not defined in current Code, Ingleside Code of Ordinances and providing for effective date, reading, severance, and publications. (First Reading)**

Mayor Lamas questioned why and how this was being changed and if this could be considered overreaching. Code Enforcement Officer Eric Koenig explained the current code Section 30-91 only reads, "It shall be unlawful for any person to allow garbage, rubbish, or trash to accumulate on property under his control and within the city." The definitions of "garbage, rubbish, and trash" are also currently very broad. The draft being presented better describes excessive outdoor storage that subsequently becomes an eyesore, nuisance, damaged by the environment, and a habitat for vermin.

This is not intended to create more regulation, but to more accurately define the parameters for Code Enforcement. Items such as couches, car engines, washers/dryers, etc. should not be in front yards. Just as police officers use their discretion to pull over speeders; it is Code Enforcement's discretion how to handle these items. There is no completely objective system; however, the staff need better definitions to work with all the neighbors. This is only for those areas viewable from the Public ROW, not behind privacy fences and the like.

Council Member Schack stated Code Enforcement is reactionary; and just like the Police, they can't be everywhere at once. Something could be similar on opposite sides of town and only one is noticed at that time.

Mr. Ronnie Parker stated that the current wording is too broad and that the staff needs the revised wording. The staff are trustworthy individuals and not out to harass anyone.

Council Member Tucker made a motion to pass to a second reading the Ordinance amending Chapter 30 Article III – Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant Water, Sec. 30-90 – Definitions, Sec. 30-91 – Prohibited Accumulations on Private Property, Sec. 30-94 - Penalty for Violation of Section 30-92 and/or 30-93, and Sec. 30-95 Abatement – Notice to Include Updated Definitions and Enforcement for Non-Customary Outdoor Storage not defined in current Code, Ingleside Code of Ordinances and providing for effective date, reading, severance, and publications: and was seconded by Council Member Schack. The motion was approved with Council Members Tucker, Adame, Knippa, Diehl, and Schack voting aye; and Mayor Lamas voting no.

- 13. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of C-1 (Local Commercial) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: LTS 9 & 10 BLK 25 RJ Williams Subdivision (fronting Main Street). (Final Reading)**

Council Member Diehl made a motion to approve Ordinance # 2017-08 changing the zoning for the following property from its present zoning of C-1 (Local Commercial) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: LTS 9 & 10 BLK 25 RJ Williams Subdivision (fronting Main Street): and was seconded by Council Member Adame. The motion was approved unanimously.

- 14. Consideration and action to accept a Restrictive Covenants Agreement between the City of Ingleside and Cheniere in order to create a buffer zone around the City's Waste Water Treatment Facility as required by the Texas Commission on Environmental Quality (TCEQ).**

Finance Director Paul Baen stated the need for Restrictive Covenant Agreements of nonresidential use of property within 150 of the Wastewater Treatment Plant is required by TCEQ. It was noted during last year's inspection, that we didn't have that for the American Tower property and the Cheniere property. The American Tower agreement was approved last Fall and Cheniere has now agreed to the same agreement.

Council Member Adame made a motion authorizing the Mayor to sign the Restrictive Covenants Agreement between the City of Ingleside and Cheniere in order to create a buffer zone around the City's Waste Water Treatment Facility as required by the Texas

Commission on Environmental Quality (TCEQ); and was seconded by Council Member Schack. The motion was approved unanimously.

15. Consideration and action to approve an Ordinance providing for the abandonment, vacation and closure of a roadway easement (SPCORP Doc 589388) located on Cheniere land, and providing for effective date, reading, and severance and publication. (Final Reading)

Council Member Knippa made a motion to approve Ordinance # 2017-09 providing for the abandonment, vacation and closure of a roadway easement (SPCORP Doc 589388) located on Cheniere land, and providing for effective date, reading, and severance and publication; and was seconded by Council Member Tucker. The motion was approved unanimously.

16. Consideration and action to allow overnight camping at Live Oak Park May 4, 2017.

Parks and Facilities Manager, Mariana Garcia explained the Gypsy MC has requested another night for camping for them to set up prior to their event.

Council Member Tucker made a motion to allow Gypsy MC and additional night of camping at Live Oak Park on May 4, 2017; and was seconded by Council Member Diehl. The motion was approved unanimously.

17. Consideration and action authorizing the exclusive use of N.O. Simmons Pak for Ingleside Chamber of Commerce on September 15 and 16, 2017 and to allow them to sell beer and wine for the "Ingleside Beer & Wine Festival."

Chamber of Commerce President Jane Gimler explained they are requesting exclusive use of N.O. Simmons Park for a Beer and wine event. This would be Texas craft beers and wines. The event will only be from 4:00 p.m. to 8:00 p.m. on Saturday September 16, 2017. The will have live music and it will under the basketball pavilion area only. Liability Insurance will be purchased as with all Chamber events and a cab company will have some cabs on standby for the event.

Parks and Facilities Manager, Mariana Garcia stated she has already spoken with the Tri-County Soccer League to schedule their games to be over before the event starts and they are already working on that.

Council Member Adame made a motion authorizing the exclusive use of N.O. Simmons Pak for Ingleside Chamber of Commerce on September 15 and 16, 2017 and to allow them to sell beer and wine for the "Ingleside Beer & Wine Festival" and was seconded by Council Member Knippa. The motion was approved unanimously.

18. Financial status report as of February, 2017.

Finance Director Paul Baen explained this is five months of the current FY budget and gave a brief overview of the finances. Council Member Diehl asked the amount of unencumbered funds and Mr. Baen stated it is still \$3.2M for the General and Utility Funds.

19. Consideration and action authorizing expenditure of up to \$40,000 for replacement of Zetron radio interface equipment from A&B Communications.

Police Chief Stan Bynum stated that as we installed the new dispatch systems it became apparent that there was an issue with the fire department paging system. The contractor explained that two of our four interfaces are inoperable and due to the age of the equipment they cannot be fixed. The upgrade to the equipment will cost approximately \$40,000. The Federal Forfeiture Asset Sharing Fund has \$123,000 and this is an eligible use for these funds. Staff recommends approve of the expenditure and use of Federal Forfeiture Asset Sharing Fund.

Council Member Diehl stated this is another example of where Ingleside is behind the curve with several things and electronics is one of the largest and most costly items. Yes, the City staff can get by with some the equipment they have, but when it breaks, there are no replacement parts because they are so old. Then often you cannot buy one piece at a time, you have to buy all the same so they can communicate with each other.

Council Member Tucker made a motion authorizing expenditure of up to \$40,000 for replacement of Zetron radio interface equipment from A&B Communications from the Federal Forfeiture Asset Sharing Fund; and was seconded by Council Member Schack. The motion was approved unanimously.

20. Consideration and action of an Ordinance amending the 2016-17 Budget for the City of Ingleside to provide for the transfer of \$20,000 from the Utility Fund Capital Fund to a new line, the City Manager's Contingency Line Item 10-500-597, and providing for effective date, reading, and severance. (Budget Amendment 2017-005) (Single Reading)

Council Member Diehl made a motion to approve Ordinance # 2017-10 amending the 2016-17 Budget for the City of Ingleside to provide for the transfer of \$20,000 from the Utility Fund Capital Fund to a new line, the City Manager's Contingency Line Item 10-500-597, and providing for effective date, reading, and severance: and was seconded by Council Member Tucker. The motion was approved unanimously.

21. Consideration and action of an Ordinance amending the 2016-17 Budget for the City of Ingleside to provide for the transfer of \$30,000 from the Council Reserve (10-500-599) to the Contractual Services – Consulting (10-500-484) for the City Manager's use for Professional Services, and providing for effective date, reading, and severance. (Budget Amendment 2017-004) (Single Reading)

Council Member Schack made a motion to approve Ordinance # 2017-11 amending the 2016-17 Budget for the City of Ingleside to provide for the transfer of \$30,000 from the Council Reserve (10-500-599) to the Contractual Services – Consulting (10-500-484) for the City Manager's use for Professional Services, and providing for effective date, reading, and severance: and was seconded by Council Member Diehl. The motion was approved unanimously.

22. Presentation of the Quarterly Reports from the various departments for the period January through March 2017.

With this being the first Quarterly Reports from the various departments, City Manager Melissa Byrne Vossmer asked the Council if they were okay with just the written report being provided or if the Department Managers needed to be present. The Council had no suggestions for changes.

23. Consideration and action regarding the Operational and Organizational Assessment, Classification and Compensation Study Services to reconsider the study as two separate studies.

City Secretary Kimberly Sampson explained the various ways the staff requested responses from TML website, City Website, Official City Newspaper, and sending out RFP's to at least eight different companies. We received questions back about the budgeted amount and whether we would consider breaking the RFP into two separate proposals. In the end, there was only one proposal received and even though we estimated the two year old estimate of \$50,000 was a little low, we did not expect the proposal to be 60% higher than the budget.

At this time, the staff recommends the study be divided into two separate studies and resubmit the RFP's for publication. The first being the Operational and Organization Assessment along with the Job Descriptions, and the second being the Classification and Compensation Study. This will take us a little longer, but we want a good final project and there is no reason to rush through it.

Council Member Schack made a motion authorizing the Operational and Organizational Assessment, Classification and Compensation Study be divided into two separate studies and resubmitted for RFP's and was seconded by Council Member Diehl. The motion was approved unanimously.

24. Consideration and action to move the May 23, 2017 regular City Council Meeting to May 30, 2017.

City Manager Melissa Byrne Vossmer explained that due to herself and the City Secretary being out of town at the ICSC conference and the Mayor being in Washington, D.C. that it was suggested that we move the May 23, 2017 Council meeting to May 30, 2017.

Council Member Schack stated he would not be available on the 30th due to prior obligations.

Mayor Lamas made a motion to move the May 23, 2017 regular City Council Meeting to May 30, 2017 and was seconded by Council Member Tucker. The motion approved with Mayor Lamas and Council Members Tucker, Adame, Knippa, and Diehl voting aye; and Council Member Schack voting no.

25. Discussion, consideration and approval to create the position of Director Infrastructure Services for the City of Ingleside.

City Manager Melissa Byrne Vossmer stated that from her interview and the meetings she had with the Council Members at the beginning of her employment, one of the main points raised was better management of the Capital Projects. The provided job description for a Director of Infrastructure Services would not only be a liaison with the engineers and contractors with the Capital projects, this person would also review the day to day items that staff need engineering assistance with such as site developments, drainage, water & wastewater connections, etc. Even the review of Zoning and other planning Ordinances and once we have a true Capital Improvements Plan they can keep that up to date. With the increase of industrial growth in the area there is a need for planning of housing and the other businesses that support the industry and housing. The budgeted salary for civil engineer would be about \$110,000 plus benefits and then there is the need for a vehicle from our existing fleet as well as setting up an office in the City Hall Annex. Just today the staff came to Mrs. Vossmer and is requesting the extension of a wastewater line to that will cost about \$24,000 and it needs an engineer's review due to the depth and location of the line. This position is not a supervisory position but would work closely with Public Works, the Building Department, and of course the City Manager.

Mayor Lamas and Council Member Diehl agreed that you get what you pay for and the City of Ingleside needs an in-house engineer for oversight of the current and future Capital projects as well as day to day programs. The only question they had was timing with the budget. Mrs. Vossmer stated she would like to begin the search process now because it will take a while to advertise, interview, and eventually bring someone to the City. Mr. Ronnie Parker (Council Member Elect) stated there are currently budgeted funds for engineering that could be used for a short period near the end of the budget year if necessary.

Council Member Diehl made a motion to create the Director Infrastructure Services position and proceed with the search process; and was seconded by Council Member Knippa. The motion was approved unanimously.

Work Sessions:

- 26. Presentation and workshop regarding the status of the City's various Capital Improvements Projects, the Impact Fees Analysis, the Utility Rate Analysis, State Highway 200, and review and consideration of engineering task orders and related billings.**

John Michael and Melanie Gavlik with Naismith/Hanson Professional Services were present to provide overviews of the various Bond projects, Street projects, Rate studies and other engineer related items.

The contractor for Tiner Lane has agreed to fix the street at no cost to the city. The staff and engineers are still working with the contractor to get a quote for the guardrails. Council Member Knippa stated he was willing to work with staff to get the guardrails materials free from TxDOT. Council Member Adame stressed that was fine as long as there were no structural or safety concerns with the guardrails from TxDOT.

Avenue B outfall should be ready to go to bid mid-May and the engineers are still working with a couple of the property owners for permanent and temporary easements. Mr. Michael stated they will not bid the project until the required easements are in place.

The Notice to Proceed was provided to the contractor of the Lovers Lane project on April 5, 2017 and it is due to be complete by June 5, 2017.

The baseball fields at Live Oak Park are looking really well. The bleachers are standard bleachers in order to accommodate the available space within the area. If the City would like to have larger bleachers, that can be accomplished and these bleachers can be moved to the soccer fields. When considering larger bleachers there are ADA compliance issues that will be required and thereby the cost of the bleachers does increase considerably. Shade of the bleachers was another concern and it was noted that it was not budgeted with the current project but could be added later.

Mrs. Gavlik explained the Utility Rate Study has been put on hold until after the mid-year budget process, but the Impact Fee update is being prepared for an initial presentation to Council in mid-June. Once the first meeting takes place, there is a sequence of events that have to be completed by October 24, 2017. One of the first things being considered is to move the system to a meter size system instead of a by unit system. It was noted that the Impact Fee program is out of compliance until this process is completed.

The final SH-200 plans and specifications have been sent to TxDOT for review and hopefully final approval. Once these plans are approved, the final billing from Naismith/Hanson Professional Services can be presented and paid and the final reimbursement request can be submitted to TxDOT. Council Member Diehl questioned if there were any expenses TxDOT would not be reimbursing the City for and Finance Director Paul Baen stated there were other appraiser and legal fees outside the agreement that totaled about \$54,000.

Executive Sessions:

- 27. The Council may meet in Closed Executive Session with the City Manager in accordance with the Texas Government Code Section 551.074 (Personnel Matters) to discuss Supervisory Duties and Responsibilities of Public Officers or Employees.**

Mayor Lamas recessed the regular meeting to go into Closed Executive Session at 8:35 p.m.

Mayor Lamas closed the Executive Session and re-opened the regular meeting at approximately 8:50 p.m.

28. Staff Reports

City Secretary stated that Early Voting began Monday, April 24, 2017 and there have been 37 voters as of 5:00 today. Early Voting continues through May 2, 2017 and Election Day is May 6, 2017.

29. Requests from Council Members

Council Member Diehl encouraged the Council Members to go by the new Cove Apartments (aka Oaks by the Bay) at SH-361 and Avenue A and ask for a tour. They are


very nice staff and the apartments look very modern. He also stated that Council Member Underbrink is out of the hospital and home resting and watching tonight's meeting via the internet. Council Member Diehl further thanked the Council and staff for working with him the past two years. He feels the new City Manager is a strong individual that will help the Council as they move forward with the challenging infrastructures and budgets.

Council Member Adame questioned when the Golf Cart Ordinance would be brought back to Council and the staff stated it is scheduled to be brought back in May 2017.

30. Adjourn


There being no further business, the meeting was adjourned at 8:59 p.m.

ATTEST:



Kimberly Sampson, City Secretary

APPROVED:



Mayor Luis Lamas