

**CITY OF INGLESIDE  
AGENDA  
REGULAR CITY COUNCIL MEETING  
APRIL 26, 2016**

**1. Call meeting to order**

The meeting was called to order at 6:30 p.m. with Mayor Pro-Tem Oscar Adame presiding. Council Members present: Mayor Pro-Tem Oscar Adame and Council Members Cynthia Wilson, Dennis Knippa, Steve Diehl, and Paul Pierce. Council Members absent: Mayor Pete Perkins (and City Manager Jim Gray) was traveling to attend the Coastal Bend to DC event. Council Member Position # 2 is currently vacant. Staff present: Finance Director Paul Baen and City Secretary Kimberly Sampson. There were approximately 20 guests.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Presentations from the Audience**

Mr. Howard Gillespie, current Mayor of Ingleside on Bay (IOB), announced that he is on the Run Off Ballot for San Patricio County Commissioner Precinct 4. He said that even though he has spoken to this Council as a representative of IOB to be against Industry; that his views on industry are positive. He provided a list of Cheniere, Oxy, Flint Hills, and other industry leaders that will vouch for his eager willingness to work with them. If elected as County Commissioner Precinct 4 he will be retiring from Texas Department of Transportation (TxDOT) in order to be a full time Commissioner. He encouraged everyone to get out and vote.

Sue Coleman requested that on the Semi-Annual City Clean-Up Days that the City also provide free shredding for the public. She also requested the City look into purchasing the Lakeside Kennels for Animal Control.

**5. Consideration and action of the Minutes of the City Council Meeting of April 12, 2016.**

Council Member Pierce noted two clerical errors for correction.

Council Member Diehl made a motion to approve the Minutes of the City Council Meeting of April 12, 2016 with the corrections and was seconded by Council Member Knippa. The motion was approved unanimously.

**6. A Public Hearing regarding an application for a Special Permit to temporarily to be allowed to reside in a recreational vehicle (RV), during renovations to the home located at Lot 12, Block 4, Nystrom Addition subdivision, also known as 3044 Mayfield Ave.**

Mayor Pro-Tem Adame opened the Public Hearing at 6:42 p.m.

Speaking in favor of the Special Permit was Amanda Capps. She explained that she, her husband, and two children currently reside in Portland. They are requesting this Special Permit in order to live on the site and thereby claim it as their homestead for the purpose of repairing their newly purchased home themselves. If they don't reside on the property, they can't claim homestead and thereby would be required to hire contractors for the work they feel they can do themselves. This home was originally built in 1935 and needs a complete overhaul. Even though the house is un-inhabitable they continue to pay water/wastewater/garbage to the city, even though it is not turned on.

Speaking against the Special Permit was Bill Underbrink. He stated he is against all Special Permits and believes they should live in a Trailer Park instead of on-site.

Mayor Pro-Tem Adame closed the Public Hearing at 6:47 p.m.

7. **Consideration and action of an Ordinance granting of a Special Permit to temporarily to be allowed to reside in a recreational vehicle (RV), during renovations to the home located at Lot 12, Block 4, Nystrom Addition subdivision, also known as 3044 Mayfield Ave. (First Reading)**

Building Official John Davis explained that the rafters, joist, and roof appear to be in good shape. The foundation needs to be repaired, windows replaced, plumbing and electrical brought up to code, and new siding is needed. There was some discussion due to the age of the residence about possible lead paint and asbestos. Mr. Davis stated if approved he would confirm with TCEQ any issues with possible lead paint and asbestos; however, he did state that for single family residence that the removal of asbestos was not as restrictive as from a public building such as a multifamily, commercial, industry, etc. It was also noted that she originally requested twelve months and the Ordinance presented says for the duration of the building permit. Mr. Davis explained that a building permit is for six months and with the homeowners living on-site, there shouldn't be an issue with completing these repairs within that time frame.

Mrs. Amanda Capps explained that they not only need to be listed as homestead for the building permit purposes, but they are also a single vehicle family. Once her husband takes the vehicle to work for the day, she can't drive from an RV Park or their current resident in Portland to work on this house. She has been restoring homes for 20 years and the only thing new for this site is the foundation work but she feels she is up for the challenge.

Council Member Diehl made a motion to pass to a second reading the Ordinance granting of a Special Permit to temporarily to be allowed to reside in a recreational vehicle (RV), during renovations to the home located at Lot 12, Block 4, Nystrom Addition subdivision, also known as 3044 Mayfield Ave; and was seconded by Council Member Wilson. The motion was approved with Mayor Pro-Tem Adame and Council Members Wilson, Diehl, and Pierce voting aye; and Council Member Knippa voting no.

8. **Consideration and action of an Ordinance granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV), for security purposes, on the property located at SW ¼ Lt 10, Block G, Burton and Danforth Subdivision, also known as 1750 Hwy 361, and further providing for effective date, reading, severance, and publication. (Final Reading)**

Council Member Diehl made a motion to approve Ordinance # 2016-07 granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV), for security purposes, on the property located at SW ¼ Lt 10, Block G, Burton and Danforth Subdivision, also known as 1750 Hwy 361, and further providing for effective date, reading, severance, and publication: and was seconded by Council Member Wilson. The motion was approved unanimously.

9. **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: Lot 3, Block 2, Frank Phelps Garden Subdivision, otherwise known as 1950 Main Street. (Final Reading) (Tabled from 4/12/16)**

Building Official John Davis explained that he had a conference call with the ATF Agent Mr. Vernon Smith. Apparently there was some misunderstanding between all parties and the ATF Agent did not realize the City of Ingleside has a Home Occupancy Permit. After speaking with Agent Smith, he stated the Home Occupancy Permit would comply with their requirements. Staff provided several options for the Council to consider: approve the C-2 zoning, deny the C-2 and staff allow the Home Occupancy Permit, or approve the C-2 zoning and still allow the Home Occupancy Permit.

Council Member Diehl 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 C-2 (General Commercial) and further providing for effective date, reading, severance, and publication: Lot 3, Block 2, Frank Phelps Garden Subdivision, otherwise known as 1950 Main Street; and was seconded by Council Member Pierce.

Property Owner Katherine Wolf stated she agreed with the use of the Home Occupancy Permit.

The motion to deny the Ordinance was approved unanimously.

**10. Consideration and action regarding the CenterPoint Energy 2016 Annual GRIP Adjustment for the South Texas Division.**

CenterPoint Energy representative Tom Champagne stated that any delay would only be 45-days.

Council Member Pierce made a motion to suspend CenterPoint Energy 2016 Annual GRIP Adjustment of the South Texas Division for 45-days and was seconded by Council Member Diehl. The motion was approved unanimously.

**11. Consideration and action of a Resolution of the City of Ingleside, Texas finding that AEP Texas Central Company's application for approval of a Rate Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; finding that the City's Reasonable Rate Case Expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel.**

Council Member Pierce made a motion to approve Resolution # 2016-08 of the City of Ingleside, Texas finding that AEP Texas Central Company's application for approval of a Rate Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; finding that the City's Reasonable Rate Case Expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel: and was seconded by Mayor Pro-Tem Adame. The motion was approved unanimously.

**12. Consideration and action of speed humps/cushions on Mustang Drive, Avenue B, West Main, and Avenue A (between Tiner Lane and Beasley Avenue).**

Council Member Knippa stated he requested this back in 2010 and is here again attempting to get traffic control devices on (1) Avenue A, (B) West Main, (C) Avenue B near 4<sup>th</sup> and 5<sup>th</sup> Streets, and (D) Mustang Drive. He feels these would help reduce the speed and thereby assist the patrol staff. Other citizens suggested adding Tiner Lane to the list as well.

Police Chief Stan Bynum explained there are several things to take into consideration: (1) the need for a Policy, (2) the need for an Engineer Study (that helps in any court case), (3) funding for the devices themselves, (4) funding of the necessary warning signs, and (5) maintenance of the devices and the warning signs. A copy of the Legal Opinion from 2011 indicates the concern for legal liability issues as well as the fact that neither TxDOT nor TML recommends the use of these devices.

Council Member Pierce stated he has concerns with the control devices decreasing the speed to below the posted speed limits. Mayor Pro-Tem Adame explained that the Emergency Vehicle (Police, Fire, & EMS) all have different size axels and some are the same as a normal vehicle. Certain citizens spoke against the devices on Avenue A due to the Emergency Vehicles and others questioned why we would punish the masses for the few that are an issue. Addressing the need for more manpower on the streets at any given time would be helpful. Perhaps the City needs more than two patrol cars per shift and maybe bring back the bicycle patrol. Just like in the City of Driscoll, Texas; they have the resources and they stop all speeders.

Ingleside on the Bay Mayor Howard Gillespie was asked how his community members felt about the traffic control devices they have on Woodhaven and Starlight. He stated that the residents on those streets love it, and other avoid those streets. It just pushed the speeding issue to a different street.

Council Member Wilson asked if the Traffic Engineer needed to help write the Policy and Chief Bynum stated that the staff could pull policies from other communities and once the Policy is adopted and a Street meets that minimum standard set by the Policy, then the Traffic Engineer could be hired to recommend type and placement for that specific Street.

No action was taken other than to ask Staff to bring back a Policy for Council review.

**13. Consideration and action regarding of a resolution memorializes the in-house policy for transfers between any and all banking, investment, and bond accounts, including but not limited to: Frost Bank accounts, ValueBank accounts, TexPool accounts, and necessary bond accounts.**

City Secretary Kimberly Sampson stated in paragraph two that the wording needed to be changed to reflect that one of the two signators could be the person preparing the transfer. Typically one of the

staff prepares the transfer and attachments; however, sometimes either Ms. Sampson or Finance Director Paul Baen prepares some of the transfers. It was also noted that from the more than 70 cities surveyed, seven out of ten have the Finance Director signing checks.

Council Member Diehl questioned if there were any pitfalls for the Finance Director being a signator. Council Member Pierce stated he spoke with the City's Auditor Ernest Garza and although he has no concern with the Finance Director signing off on the Transfers, he does have issues with the Finance Director signing checks. Finance Director Paul Baen stated the transfer policy, as such pertains to the Finance Director, should pertain to internal transfer only, and not pertain to transfers to third parties such as Bond Payment accounts.

Council Member Diehl made a motion to table this agenda item for the City Manager and the Auditor to be present and to make one policy inclusive of checks and transfers, both internal and external; and was seconded by Council Member Pierce. The motion was approved unanimously.

**14. Receive and discuss the City's financial situation, including but not limited to its budget, revenues, expenses, assets, and debts.**

Finance Director Paul Baen provided an overview of the finances and stated he is working with the software vendor regarding pooled cash. This will take about six months to convert from the old system to the new system.

**15. Staff Reports**

City Secretary Kimberly Sampson stated the totals of Early Voting as of 5:00 p.m. today was 33 voters. Early Voting continues this week from 8:00 a.m. to 5:00 p.m. and next Monday/Tuesday are 7:00 a.m. to 7:00 p.m. with Election Day being Saturday, May 7, 2016 from 7:00 a.m. to 7:00 p.m.

**16. Requests from Council Members**

Council Member Diehl asked the staff to look into the following items: the feasibility of the purchase of Lakeside Kennels, feasibility of a shredding day for the general public, an action item needed for funds to update the dispatcher aesthetics; an agenda item for any additional Beautification Committee funds; and an update from a Principal Investor of the apartment complex at SH-361 and Avenue A.

Council Member Wilson requested an update regarding the equipment being repaired/replaced at N.O. Simmons Park and a future agenda item to hire the Auditor.

**17. Adjourn**

There being no further business, the meeting was adjourned at 8:50 p.m.

**ATTEST:**

  
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 Kimberly Sampson, City Secretary

**APPROVED:**

  
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 Oscar Adame, Mayor Pro-Tem