

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
AUGUST 23, 2016**

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, Bill Underbrink, Oscar Adame, Dennis Knippa, Steve Diehl, and John Schack. Staff present: Acting City Manager Florencio Pena, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 25 guests.

2. Roll Call

3. Invocation

4. Pledge of Allegiance

5. Presentations from the Audience

Chamber of Commerce President Jane Gimler stated that the anticipated revenue dollars brought into a community during an event such as Round-Up is the number of out of town people (1,200), multiplied by \$75, multiplied by the number of days of the event (2 days), multiplied by 2 fold; equals approximately \$360,000 into the community. Additionally she stated that the Chamber of Commerce sent out their invitations today regarding the Annual Banquet scheduled for September 24, 2016.

Parks and Events Coordinator Mariana Garcia welcomed everyone to attend the Grandparents Day Event at the Humble Center scheduled for this Saturday, August 27, 2016.

Mrs. Sue Coleman stated she likes the Welcome to Ingleside sign and the cleaning of the ditches all over town look great.

6. Consideration and action of the Minutes of the City Council Meetings of August 9, 2016.

Council Member Diehl made a motion to approve the Minutes of the City Council Meeting of August 9, 2016 and was seconded by Council Member Adame. The motion was approved unanimously.

7. Consideration and action of an Ordinance by the City Council of the City of Ingleside, Texas authorizing the issuance of "City of Ingleside, Texas Tax Notes, Series 2016", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the Letter of Representations previously executed with the Depository Trust Company; and providing an effective date. (Single Reading)

Andrew Friedman of SAMCO Capital presented the final Ordinance to Council regarding the potential 2016 Tax Notes. The fees will be about \$25,000 and therefore there will be \$710,000 available for the Parks projects. The interest on the bonds is 1.73% over four years and the City cannot prepay the tax note.

There was discussion among the Council regarding potential needs for Soccer Fields at Live Oak Park and the need for restrooms at the new Ball Fields at Live Oak Park. It was decided that the staff would look into both ideas and bring back the cost estimates for the Council to consider.

Council Member Diehl made a motion to approve Ordinance # 2016-18 by the City Council of the City of Ingleside, Texas authorizing the issuance of "City of Ingleside, Texas Tax Notes, Series 2016", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the Letter of Representations previously executed with the Depository Trust Company; and providing an effective date: and was seconded by Council Member Underbrink.

Council Member Diehl amended his motion to include that these funds will be dedicated to the parks improvements and was seconded by Council Member Underbrink. The motion was approved with Mayor Lamas and Council Members Tucker, Underbrink, Adame, and Diehl voting aye; and Council Members Knippa and Schack voting no.

8. Consideration and action authorizing the temporary closure of streets and staff overtime for the Ingleside Independent School Districts Homecoming Parade scheduled for Thursday, September 8, 2016 at 7:30 p.m.

Council Member Schack made a motion authorizing temporary closure of streets and staff overtime for the Ingleside Independent School Districts Homecoming Parade scheduled for Thursday, September 8, 2016 at 7:30 p.m.; and was seconded by Council Member Adame. The motion was approved unanimously.

9. Consideration and action for the exclusive use and alcohol permit at Live Oak Park by Ignacio Adame for a family reunion.

City Secretary Kimberly Sampson stated the Adame family is not requesting exclusive use of the park, but they are requesting the alcohol permit.

Council Member Adame stated due to this being his family he abstains from all discussion and voting.

Council Member Tucker made a motion to approve the request for an alcohol permit at Live Oak Park by Ignacio Adame for a family reunion and was seconded by Council Member Diehl. The motion was approved with Mayor Lamas and Council Members Tucker, Underbrink, Knippa, Diehl, and Schack; and Council Member Adame abstaining.

10. Consideration and action of an Ordinance of the City of Ingleside, Texas, for the closure and abandonment of a road located adjacent to Blk 1 Lt 1 Old Ingleside Subdivision, also known as 1439 Main Street; and providing for effective date, reading, severance, and publication. (Final Reading)

Council Member Adame made a motion to approve Ordinance # 2016-19 of the City of Ingleside, Texas, for the closure and abandonment of a road located adjacent to Blk 1 Lt 1 Old Ingleside Subdivision, also known as 1439 Main Street; and providing for effective date, reading, severance, and publication: and was seconded by Council Member Underbrink. The motion was approved unanimously.

11. Public Hearings for:

Mayor Lamas called the Public Hearing to order at 7:00 p.m.

- (A) **A request to change the zoning for the following property from its present zoning of R-1 (Single Family Residential) to C-2 (General Commercial): Lots 38-41 Block 12, RJ Williams Subdivision, otherwise known as 2646 Avenue C; and**

Speaking in favor of the rezoning request was Mr. Glen Gilroy; who explained that since he purchased this property two years ago, he has made improvement to the existing storage buildings and cleaned up the property in general. Some of the property is currently zoned C-2, R-1, and C-1. He previously requested this all be considered C-2 and it was denied. At this time he is only asking that the R-1 area

be re-zoned to C-2. The existing R-1 area already has storage units built on the property. It is unclear in the old City Minute books how some areas were zoned differently than others; however, this is a non-conforming use and Mr. Gilroy is trying to clarify the zoning in case of future disaster. If a hurricane/tornado were to come in and blow these units away, he couldn't re-build and therefore would have the potential for future revenue loss.

Speaking against the rezoning request were: Paulette and Jay Storm and Kathy and Skip Bagnal. Their concerns consisted of increase in traffic, the safety of the kids (especially so close to the school), and the potential for this to be something other than storage units if rezoned to C-2. They are worried any rezoning and eventually rebuilding of something worse within the C-2 area could affect their property values.

- (B) **A request for a Special Permit to be allowed to reside in a Recreational Vehicle (RV), during renovations to his home located at an alley lying between Lts 7 and S ½ of 8, Blk 2, Harris subdivision and Lts 11-15, Blk 7 Houghton Subdivision NW 15 Lt 21, Lt 22, Blk 2, Ingleside Mercantile Subdivision, also known as 2638 Humble Street.**

There were no speakers for or against the Special Permit.

Mayor Lamas closed the Public Hearing at 7:21 p.m.

- 12. 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: Lots 38-41 Block 12, RJ Williams Subdivision, otherwise known as 2646 Avenue C. (First Reading)**

Council Member Tucker questioned if this would be considered spot zoning and Building Official John Davis stated it is currently non-conforming use but since there is C-1 and C-2 on both sides of the R-1 in question, this would not be considered spot zoning. It is on the outer-edge of the Future Master Use Plan of General Commercial.

Council Member Diehl stated he understands that once the zoning is changed, it really opens a lot of options for that property and can see why the residents are concerned. Council Member Adame stated he cannot recall from his youth when the storage units were not there.

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 C-2 (General Commercial) and further providing for effective date, reading, severance, and publication: Lots 38-41 Block 12, RJ Williams Subdivision, otherwise known as 2646 Avenue C; and was seconded by Council Member Schack. The motion was approved unanimously.

- 13. Consideration and action of an Ordinance granting a Special Permit to be allowed to reside in a Recreational Vehicle (RV), during renovations to his home located at an alley lying between Lts 7 and S ½ of 8, Blk 2, Harris subdivision and Lts 11-15, Blk 7 Houghton Subdivision NW 15 Lt 21, Lt 22, Blk 2, Ingleside Mercantile Subdivision, also known as 2638 Humble Street and further providing for effective date, reading, severance, and publication. (First Reading)**

Building Official John Davis stated that all citizens who request items be brought to Planning and Zoning and City Council are told they are required to be present at the Public Hearings for comments and questions. They are made aware that if not present, the Council can, and may, deny the request.

No motion is made. No action is taken. The request for a Special Permit dies for lack of a motion.

14. Presentation by Naismith Engineering of the progress and projections of SH-200 project.

John Michael of Naismith Engineering presented a schedule of anticipated dates of completion for the various portions of each phase of the SH-200 project. Phase 1 (the Environmental Phase) is pending TxDOT approval and should be completed by the end of August. Once the City submits the request for reimbursement, it should be about six to eight weeks for reimbursement to be returned to the City. By our current schedule, this is anticipated to be approximately the first week of November 2016. Phase 3 (ROW) was originally supposed to be identify the ROW and purchase the ROW. TxDOT is only asking us to identify the ROW's and then they will reimburse the City for that work. The City will not be purchasing the ROW as originally planned. We anticipate the final ROW map and reimbursement request to be submitted to TxDOT the first week of October and therefore anticipate the reimbursement to be received around the first week of December. Phase 2 (the Plans and Specifications) are anticipated to be finalized by mid-December and thereby the reimbursement sometime around mid-February 2017.

Once these are completed and all reimbursements are paid, the next step will be to terminate the existing AFA agreement and initiate a new agreement for the sole purpose of ROW acquisition. This will hopefully take place in February 2017.

Finance Director Paul Baen stated that under the current AFA agreement, the cost other than the ROW acquisition would have been approximately \$1.4M. With the new AFA agreement being discussed, the match requirement from the City should be between \$230,000 to \$240,000.

Council Member Diehl suggested that the staff look to Industry to assist with this cost.

15. Consideration and action authorizing the Engineers to proceed with the SH-200 Right of Way (ROW) Identification necessary to complete the Plans Specification and Estimates (PS&E) and then submit to TxDOT for reimbursement.

Council Member Tucker made a motion authorizing the Engineers to proceed with the SH-200 Right of Way (ROW) Identification necessary to complete the Plans Specification and Estimates (PS&E) and then submit to TxDOT for reimbursement; and was seconded by Council Member Underbrink. The motion was approved unanimously.

16. Consideration and action authorizing a transfer for \$15,000 from Building/Structure Maintenance to General Engineering Service, for services through the end of the current year by amending the original budget of \$35,000 to \$50,000.

Council Member Adame made a motion authorizing a transfer for \$15,000 from Building/Structure Maintenance to General Engineering Service, for services through the end of the current year by amending the original budget of \$35,000 to \$50,000; and was seconded by Council Member Diehl. The motion was approved unanimously.

17. Staff Reports

Acting City Manager Florencio Pena stated there will be a future agenda item for the annual renewal of the TML-IRP insurance. This covers property, liability, and workers compensation.

18. Requests from Council Members

Council Members Schack and Tucker requested a future agenda item for the Executive Session for interviews for the Municipal Court Judge's position.

Council Member Adame stated the ditches are looking really good. He requested that the staff and engineers continue to look at another way to help the drainage of Tiner Lane. Council Member Adame also requested an update regarding the Permanent City Manager Search Firm. Council Member Diehl agreed that a permanent City Manager needs to be put in place before too many changes are made in-house.

Council Member Schack asked that both the Judge's applications and the City Manager Search firms be on the September 6, 2016 Special Meeting agenda.

Council Member Underbrink asked that all Council Members speak into the microphones and that a microphone be provided to Finance Director Paul Baen.

Council Members Knippa and Underbrink requested a future agenda item to consider a second person to represent the City of Ingleside at the SPEDC Board of Directors Meeting as a back-up.

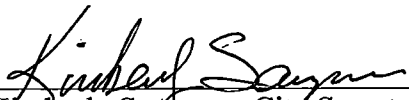
Council Member Diehl stated that since there are a lot of committee meetings regarding Cruise Ships and TWIA events, that Council needs to be involved and would like to make sure we have a representative of the Council at these events. If the Mayor isn't available, that we as a Council, have a representative there.

19. Adjourn

There being no further business, the meeting was adjourned at 7:59 p.m.

ATTEST:

APPROVED:



Kimberly Sampson, City Secretary



Mayor Luis Lamas