

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
JANUARY 10, 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, Bill Underbrink, Oscar Adame, Steve Diehl, and John Schack. Council Members absent: Council Member Dennis Knippa. Staff present: Acting City Manager Florencio Pena, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 30 guests.

2. Roll Call

City Secretary Kimberly Sampson stated Council Member Knippa had called in ill today.

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Mr. Gerald Russel stated he started calling Code Enforcement in July regarding issues on Timberleaf and nothing was done until he came in and spoke with the City Secretary. He stated he holds the City Council responsible for the inactivity.

Mr. Bob Shockney with Kiewit stated he was here to speak regarding the Chapter 380 Agreement. Mr. Shockney stated that Kiewit is 100% in agreement with the 380 Agreement as it was last presented with just a few clarifications in the wording and they are here to work with the City of Ingleside.

Ms. Jane Gimler of the Ingleside Chamber of Commerce stated that the 2016 Renaissance Faire was a great success with over 3,500 people attending. They will continue with it in 2017. They provided a handout of the upcoming events and reminded the Council of the San Patricio Day in Austin as February 15, 2017.

6. Consideration and action to confirm the appointments of the new Volunteer Fire Department Chief, Assistant Chiefs, and Captains as per City Code of Ordinance Section 42-57.

Acting City Manager Florencio Pena introduced the new Ingleside Volunteer Fire Chief, Steven Loving. Fire Chief Loving introduced all new officers present.

Council Member Diehl questioned where the new repeaters authorized by Council were in the process. Fire Chief Loving stated they have been ordered, the units have been measured and we are waiting for them to be received and then installed. They anticipate sometime in February.

Council Member Adame asked about the Ladder Truck issues and Chief Loving stated there is a concern with the bushings on the turntable. It is under warranty and at this point we are working out whether it would be better to have them come to us, or us take the truck to LA for repair.

Mayor Lamas recessed the meeting to go into Closed Executive Session at 6:44 p.m.

7. Discussion, consideration, and possible action regarding the hiring of a City Manager. The City Council may meet in closed executive session in accordance with The Texas Government Code Section 551.071 (Consult with the Attorney) or Section 551.074 (Personnel Matters) to confer regarding the selection of a City Manager.

8. The Council may meet in Closed Executive Session in accordance with Texas Government Code Section 551.071 to "Consult with Attorney" and Section 551.087 "Deliberations Regarding Economic Development Negotiations" regarding the following items: Kiewit 380 Agreement.

Mayor Lamas closed the Executive Session and re-opened the regular meeting at 8:46 p.m.

9. **Consent Agenda-All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.**

- A) **Approval of a Facility Use Agreement with Ingleside Little League to have exclusive rights to Dixie Diegel Baseball fields from January 1, 2017 to July 30, 2017.**
- C) **Consideration and action of an Ordinance amending Chapter 22 – Business Regulations, Article III Food Establishments, Division 1 Generally, Sec. 22-51 – Adoption of Texas Food Establishment Rules, Division 2 – Permits, Sec 22-62 – Application for Permits and Fees, and Division 3 – Regulations, Sec. 22-76 Education Requirements. (First Reading)**
- E) **Approval and consent to assign Naismith Engineering contracts to Hanson Professional Services, Inc.**

Council Member Diehl made a motion to approve Consent Agenda Items A, C, and E; and was seconded by Council Member Adame. The motion was approved unanimously.

- B) **Consideration and action of an Ordinance amending Chapter 18 – Buildings and Building Regulations, Article II Construction Standards Section 18-31 and 18-32 Ingleside Code of Ordinances. (First Reading)**

Council Member Underbrink requested this item be removed from the Consent Agenda. He questioned if this was due to Federal and State Guidelines being mandated. Building Official John Davis stated that yes, we are required to adopt these guidelines.

Council Member Diehl made a motion to pass to a second reading the Ordinance amending Chapter 18 – Buildings and Building Regulations, Article II Construction Standards Section 18-31 and 18-32 Ingleside Code of Ordinances; and was seconded by Council Member Schack. The motion was approved unanimously.

- D) **Authorize the city Manager to purchase new police patrol vehicle in the amount of \$49,152.**

Council Member Schack requested this item be removed from the Consent Agenda. He questioned if we are paying \$1,200 for paint, then he suggested we return to the blue/white vehicle instead of black/white. He suggested if there is no additional cost, then he wanted to start the move back to blue/white paint.

Council Member Diehl questioned if the new vehicles have the new MDT's (Mobile Data Terminals) or the older models we currently have. Police Chief Stan Bynum stated we were planning to move the old MDT into the new vehicle. Council Member Diehl asked about grants (State and Local) to outfit all of our vehicles with the new tablet version of the MDT's.

Council Member Underbrink stated he still does not agree with each officer having their own vehicle for their patrol shift. Council Member Diehl explained not only do you have some vehicles in for maintenance and upkeep, but you also have shift change. Shift B cannot switch out vehicles with Shift A until they return to the station and that could be 30 minutes or longer due to an ongoing traffic or other situation. Not to mention when all hands are on duty for various events within the city or emergency situations.

Council Member Schack made a motion to allow the City Manager to purchase the new police patrol vehicle in the amount of \$49,152 with a blue/white paint if it does not cost any more funds and to allow \$4,000 from the Council Reserve for the new MDT upgrade; and was seconded by Council Member Adame. The motion was approved unanimously.

10. **Consideration of a request from Ms. Summer Yarbrough to rent N.O. Simmons Park on May 6, May 20, June 10, and June 17, 2017 to hold women's football games as part of Icon Women's Football Association and to sell food and alcohol.**

Ms. Summer Yarbrough stated that instead of using the City's Concession Stand, they can use tables for the sale of merchandise. Some teams charge an entry fee at the gate and thereby allow people to bring in their own beer. Some teams don't charge an entry fee, but sell beer. The proceeds are used to help offset the cost of travel expenses when we go to out of town games. The members of her team range from Ingleside, Portland, Taft, and Corpus Christi. Previously the league had their own liability policy, but this year each team is getting their own \$1,000,000 liability policy. She is attempting to get the non-profit exemption, but that has not been received as of today's date. Her team has helped to donate \$800 worth of food/clothing to the Homeless Shelters, Women's Shelters in Corpus Christi, and other Youth Functions.

Acting City Manager Florencio Pena explained at this time the staff needs direction from Council if they want to lock in these dates and staff to continue to work with this group to meet the needs for security, insurance, etc. and eventually for the staff to bring back a more formal rental agreement for the use of N.O. Simmons Park. This has been a question over the years and prior Council's have not acted on these options. If the Council approves of this conceptual idea, the staff will secure the dates with the league and proceed to work out the other details. Once it is all put together, the final review will be brought back to Council for final approval.

Council Member Adame made a motion to approve the dates requested with final approval of the event pending the necessary Insurance, Security, and Non-Profit Status; and was seconded by Council Member Diehl. The motion was approved unanimously.

- 11. Consideration to award a contract in the amount of \$173,028 to Garrett Construction to build the Lover's Lane Drainage Project. Two bids were received and Garrett Construction was the lowest responsible bid. Funding in the amount of \$243,625 is available to award this contract from the General Fund Capital Outlay.**

John Michael of Naismith/Hanson Engineering stated two bids were received and Garret Construction is within the estimated cost for this project. He reiterated that his engineering staff will be performing the quality control test as needed for this project and it will take about 60 days once the notice to proceed is issued.

Council Member Diehl made a motion to award the contract in the amount of \$173,028 to Garrett Construction to build the Lover's Lane Drainage Project; and was seconded by Council Member Underbrink. The motion was approved unanimously.

- 12. Consideration and action to award a contract in the amount of \$43,764.00 to Fun Abounds to build a shade structure and install tables underneath structure. This purchase is utilizing Buy Board#512-16 and is part of the 2015 Bond.**

Parks and Building Maintenance Manager Mariana Garcia stated this is part of the Splash Pad project. The bid is within the budgeted funds. Of the pictures presented to Council, the top arrow will not be added due to us trying to keep it looking as much like the other shade structures at N.O. Simmons Park. The columns will be built deep into the ground as per wind storm requirements.

Council Member Adame made a motion to award a contract in the amount of \$43,764.00 to Fun Abounds to build a shade structure and install tables underneath structure; and was seconded by Mayor Lamas. The motion was approved unanimously.

- 13. A Public Hearings regarding amending Chapter 78 Zoning Section 78-51(c) to increase the area of notification for properties being re-zoned from within 200 feet to within 400 feet of the land covered by the proposed change.**

Mayor Lamas opened the Public Hearing at 9:38 p.m.

There were no speakers for or against this amendment.

Mayor Lamas closed the Public Hearing at 9:38 p.m.

- 14. Consideration and action of an ordinance amending Chapter 78 Zoning Section 78-51(c) to increase the area of notification for properties being re-zoned from within 200 feet to within 400 feet of the land covered by the proposed change. (First Reading)**

Council Member Diehl questioned if the notices are sent to land owners outside our city limits and Acting City Manager Florencio Pena stated no, they are not.

Council Member Schack made a motion to pass to a second reading the Ordinance amending Chapter 78 Zoning Section 78-51(c) to increase the area of notification for properties being re-zoned from within 200 feet to within 400 feet of the land covered by the proposed change; and was seconded by Council Member Tucker. The motion was approved unanimously.

- 15. Authorizing and ratifying the purchase of custom built consoles and ancillary furnishings for the police dispatch center from Watson Cambridge Group in the amount of \$28,104. This purchase utilizes pre-bid state purchasing contract; TXMAS-4-711070 and is part of a 2015-16 budget appropriation of \$51,000.00 from the General Fund Capital Fund.**

Council Member Schack made a motion Authorizing and ratifying the purchase of custom built consoles and ancillary furnishings for the police dispatch center from Watson Cambridge Group in the amount of \$28,104. This purchase utilizes pre-bid state purchasing contract; TXMAS-4-711070 and is part of a 2015-16 budget appropriation of \$51,000.00 from the General Fund Capital Fund; and was seconded by Council Member Adame. The motion was approved unanimously.

- 16. Consideration and action to appoint/reappointment members to the Board of Adjustments.**

Mayor Lamas requested more involvement from the City Council while making a motion to table this agenda item; and was seconded by Council Member Diehl. The motion was approved unanimously.

- 17. Consideration and action to appoint/reappoint members to the Planning and Zoning Commission.**

Mayor Lamas made a motion to table this agenda item ; and was seconded by Council Member Diehl. The motion was approved unanimously.

- 18. Discussion regarding SB 2 filed by Senator Bettencourt. SB 2 proposes to lower the property tax roll-back rate from 8% to 4% and various other changes to the property tax code.**

Acting City Manager Florencio Pena stated this is a very important bill that could seriously debilitate municipalities. This has been brought to legislature three or four times now and it keeps growing with support. The main issues are the reduction of the Roll Back rates from 8% to 4%, the inclusion of new property, and then requiring an election even if there are no protestors. Another concern is that this does not address Chapter 380 Agreements which could seriously affect our existing and future agreements.

Council Member Diehl suggested that Mayor Lamas work with previous Mayor Perkins and the area Mayors that have been fight this in past legislatures to see what we can do as a group.

Mayor Lamas stated he is meeting with State Representative JM Lazono regarding this issue.

- 19. Consideration and action of an Ordinance ordering an Election to be held on May 6, 2017 in the City of Ingleside for the purpose of submitting amendments to the Ingleside City Charter; designating the place of holding such Election, naming the officers thereof; prescribing the form of ballot; providing for notices; providing a severability clause; and declaring an effective date. (Tabled from 12/13/16) (Final reading)**

Council Member Tucker made a motion to approve Ordinance # 2017-01 ordering an Election to be held on May 6, 2017 in the City of Ingleside for the purpose of submitting amendments to the Ingleside City Charter; designating the place of holding such Election, naming the officers thereof; prescribing the form of ballot; providing for notices; providing a severability clause; and declaring an effective date: and was seconded by Council Member Diehl. The motion was approved unanimously.

20. Discussion regarding the review of Health/Dental/Vision/Life insurance and the potential revamp of the Personnel Policy and Procedure Manual, the Employee Pay Scale, the Job Descriptions, and overall Organizational Flow Chart of the staff. (Tabled from 12/13/16)

Acting City Manager Florencio Pena stated there are actually two items here: 1) the Health Insurance; and 2) the Organization Study and the Policy and Procedure Manual.

City Secretary/HR Director Kimberly Sampson stated that since this was tabled from the December 2016 meeting, she does not feel there is sufficient time to prepare for a potential change in Health Insurance. If a change is pursued, the Council needs to consider using an Agent of Record versus contracting with a Consultant. There is a difference in cost and a difference in services to be considered in both cases.

Council Member Diehl stated he would like to see each of these projects pushed back to be discussed with the new City Manager since she has recent experience with a few of these topics. There were no objections from Council.

21. Staff Reports

Acting City Manager Florencio Pena stated that future agenda items for the January 24, 2017 meeting will include an update on the CIP and he has invited TxDOT to provide an update regarding SH-200.

22. Requests from Council Members

Council Member Tucker asked for an update regarding the Splash Pad and Mr. Pena stated they hope to be complete within the next three weeks.

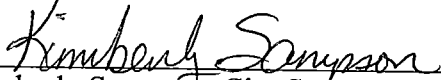
Council Member Adame stated that although the Drainage Department started out cleaning the area drainage ways really well, the action has slowed down and there is still a lot to be done. Mr. Pena stated that the Public Works Director informed him that they have the City broken into four quadrants and hit each area once every two years, but their manpower is shared with other areas of Public Works from time to time. Council Member Adame stated there was a different schedule several years ago to reach every area of town at least once per year, if not more often. He is willing to work with the staff to help bring that back to the program.

Council Member Diehl requested an update regarding the Humble Center to include discussion, original concepts, anticipated funds, items completed, items pending, and expected completion date.


23. Adjourn

There being no further business, the meeting was adjourned at 10:12 p.m.

ATTEST:


Kimberly Sampson, City Secretary

APPROVED:


Mayor Luis Lamas