

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 14, 2017**

1. Call meeting to order

The meeting was called to order at 6:33 p.m. with Mayor Pro-Tem Oscar Adame presiding. Council Members present: Mayor Pro-Tem Oscar Adame and Council Members Ben Tucker, Dennis Knippa, Steve Diehl, and John Schack. Council Members absent: Mayor Luis Lamas and 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 reminded the Council that there is an Ordinance requiring any new subdivisions to have sidewalks and she recalls the original plans of the Oaks by the Bay Apartments at the corner of Avenue A and SH-361 having those sidewalks in place. She questioned when they were removed and how to go about getting them back into the plans. She further noted that the designated school bus drop off/pick up area for this same apartment complex was thoroughly flooded during the recent rain event and questioned if all of the drainage was completed yet. Mrs. Wilson further urged the staff to make sure that when the Spring and Fall time changes occur, that the staff plan accordingly and move the timers for the flag pole lights to make sure they are always lighted at night.

Mrs. Jane Gimler of the Ingleside Chamber of Commerce invited everyone to the Ingleside Round Up Days scheduled for March 24-25, 2017 at N.O. Simmons Park. She provided some tickets for the Council and Staff and invited everyone out to see the fun new events and Children's Parade. There are currently 12 food vendors and 35 craft vendors registered for the event.

San Patricio County Precinct 4 Commissioner Howard Gillespie provided handouts to the Council regarding the most recent Texas Legislative bills that will affect San Patricio County. He also noted that he has recently provided a copy of a draft agreement for road work to the City Manager and he looks forward to discussing in the near future.

Presentations:

6. Presentation by Parks and Facilities Manager, Mariana Garcia of the March 18, 2017 "Field Day" event at N.O. Simmons Park.

Parks and Facilities Manager, Mariana Garcia announced the new event "Field Day" being held at N.O. Simmons Park on Saturday, March 18, 2017. They will have various outdoor family events for all ages. She went over some the games and prizes and invited everyone to come and enjoy.

Public Hearings:

7. Public Hearings regarding Unsafe Structures and/or nonconforming use to make a determination if the structures listed below meet the minimum standards of adopted codes or shall be demolished and removed from the property.

Mayor Lamas opened the Public Hearing at 6:43 p.m.

- A) **Owner: Diana Angela Perez and Raymond Lee Harrison, III**
Lots 14-18, Block 10, Houghton Subdivision
Otherwise known as 2775 El Paso

There were no speakers for or against this item.

- B) **Owner: Coronado Avenue LTD**
Lots 5 & 6, Blk 1, Homeacres Subdivision
Otherwise known as 2976 Main (abandoned residential structure in rear of property)

There were no speakers for or against this item.

- C) **Owner: Jim C. Mullenax, Jr.**
NE ¼ Tr 6, Blk C, Burton & Danforth Subdivision
Otherwise known as 1575 Mooney (also non-conforming use – Manufactured Home)

There were no speakers for or against this item.

Mayor Lamas closed the Public Hearing at 6:44 p.m.

Action Items:

8. **Consideration and action of an application for an excavation permit filed by Coast Materials for the property located at 600 ft. south of CR 152 A out of unsurveyed tracts in ABST 272 Zacharias Survey (entrance off of FM 2725); also known as 655 FM 2725. Coast Materials is requesting an excavation permit to create a drainage catch basin for rain water over property and retail sale of material removed. (Tabled from 2/14/17)**

City Secretary Kimberly Sampson stated that the property owner has requested, via email, that this item be removed from the agenda. No action is required at the property owners request.

9. **Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Diana Angela Perez and Raymond Lee Harrison, III, Lots 14-18, Block 10, Houghton Subdivision, Otherwise known as 2775 El Pass.**

Interim Building Official, Carey Dietrich stated that Raymond Harrison, Jr. (property owner's father) couldn't be present tonight due to him working as a police officer in Corpus Christi. Mrs. Dietrich stated Mr. Harrison, Jr. did pull a building permit in August 2016 (which expired on 2/5/17) but there have been no communications or inspections since that time. He recently spoke with staff and stated he has not been able to get a loan to pay for the necessary repairs. There is a vehicle in the driveway that he will put a new cover on it to be less of an eye-sore for the neighbors. Because the building permit expired on February 5, 2017 without communication from the property owner, that is what prompted this to be brought back to Council.

Council Member Knippa stated he has been by this residence four times over the last six month and he has seen no work on the inside and minimal on the outside.

Council Member Adame questions if the building was safe. Mrs. Dietrich stated the frame is sound other than a few trusses that need to be replaced and the rest is mostly cosmetic and electrical.

Council Member Diehl made a motion to allow a one-time six-month extension to Owner: Diana Angela Perez and Raymond Lee Harrison, III, Lots 14-18, Block 10, Houghton Subdivision, Otherwise known as 2775 El Pass; and was seconded by Council Member Tucker. The motion was approved with Mayor Pro-Tem Adame and Council Members Tucker, Diehl, and Schack voting aye; and Council Member Knippa voting no.

Council Member Diehl made another motion specifying the date of the extension be back dated to the date of the previous building permit of February 5, 2017 (thereby the six month extension expiring August 5, 2017); and was seconded by Council Member Tucker. The motion was approved unanimously.

- 10. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Coronado Avenue LTD, Lots 5 & 6, Blk 1, Homeacres Subdivision, Otherwise known as 2976 Main (abandoned residential structure in rear of property)**

Interim Building Official, Carey Dietrich explained that the property owner came into City Hall today and pulled a demolition permit. No action is necessary.

- 11. Consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Jim C. Mullenax, Jr., NE ¼ Tr 6, Blk C, Burton & Danforth Subdivision, Otherwise known as 1575 Mooney (also non-conforming use – Manufactured Home)**

Interim Building Official, Carey Dietrich stated that the property owner has been in contact with the City specifying that they are attempting to move it out of the area; however, that has not occurred yet. Staff suggested that the Council go ahead and make a determination. If demolition is ordered by Council, the property owner has 30-days to appeal or make it right themselves. If the owner follows through with their original plan to move the structure out of Ingleside within the 30-days, then there is nothing for the city to do. If they do not move it within the 30-days, nor do they appeal to the County, the City can move forward with the demolition.

Council Member Diehl made a motion authorizing the Demolition Order # 2017-03-001 determining that the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property - Owner: Jim C. Mullenax, Jr., NE ¼ Tr 6, Blk C, Burton & Danforth Subdivision, Otherwise known as 1575 Mooney (also non-conforming use – Manufactured Home): and was seconded by Council Member Knippa. The motion was approved unanimously.

- 12. Consideration and action to amend the 2017 Capital Improvements Plan and authorize the City Manager to purchase three vehicles.**

- 1) - 2017 Ford 2 Ton Hoist Truck for the Wastewater Department**
- 2) - 2016 Chevrolet with gooseneck hitch for Wastewater Department**
- 3) - 2016 Chevrolet with service body tool boxes for Drainage Department**

City Manager Melissa Byrne Vossmer explained that when going out for bids that two of these items were priced below the estimated cost and one item was priced above the estimated cost. With grouping them together, the Staff needs authorization for another \$1,443 of Capital Improvement Funds.

Council Member Diehl made a motion authorizing the purchase of the 2017 Ford 2 Ton Hoist Truck, 2016 Chevrolet with gooseneck hitch, and the 2016 Chevrolet with service body tool boxes as well the additional \$1,443 of Utility Fund Capital Funds; and was seconded by Council Member Schack. The motion was approved unanimously.

- 13. Consideration and action to:**

- 1) Authorize and approve \$58,551 to be expended out of the available capital fund reserve for the completion of the Live Oak Park Baseball projects;**
- 2) Authorize and approve Alternate # 1 to Gourley Contracting in the amount of \$124,184 for six additional restroom stalls; and**
- 3) Authorize and approve a contract in the amount of \$235,000 to Musco Sports Lighting for the construction and installation of lights at Live Oak Sports Complex utilizing BuyBoard # 512-16 and the related electrical upgrades not to exceed \$40,000.**

Council Member Diehl questioned if there was a 10% contingency factored into these costs. Craig Thompson of Naismith/Hanson Engineering stated that that because these are the contractors figures he cannot confirm or deny that statement; however, most contractors do budget themselves some room for cost differences. Council Member Diehl further asked about the 6% engineering fee as opposed to the usual 10% and Mr. Thompson stated that due to all of the changes being made, the engineers capped themselves to assist with this project.

Council Member Adame reiterated the need for projects to be brought to Council with total cost to include contractors, engineers, inspections, etc.

Council Member Schack made a motion authorizing (1) the approval of \$58,551 to be expended out of the available capital fund reserve for the completion of the Live Oak Park Baseball projects; (2) the approval of Alternate # 1 to Gourley Contracting in the amount of \$124,184 for six additional restroom stalls; and (3) the approval of a contract in the amount of \$235,000 to Musco Sports Lighting for the construction and installation of lights at Live Oak Sports Complex utilizing BuyBoard # 512-16 and the related electrical upgrades not to exceed \$40,000; and was seconded by Council Member Diehl. The motion was approved unanimously.

14. Consideration and action authorizing a change order to Homeport contract awarded by Council on October 11, 2016 to include a concrete beam around the existing structure to allow for the previously approved enclosure.

After much discussion it was determined that the original concrete slab planned for and built by Vortex for the pump house was designed for a building that had four doors and cost approximately \$25,000. The City chose to consider other bids and the result was a bid of \$14,986, but it only has two doors and the current pad is not big enough to allow the staff to maneuver around the pump. An additional concrete beam is required to tie this all in together and be windstorm certified. There were additional questions regarding the way the two concrete pieces will be tied into each other and therefore Council requested diagrams and photos to explain how this would be done.

Council Member Schack made a motion to table this agenda item two weeks and to be brought back with specification and drawings; and was seconded by Council Member Knippa. The motion was approved unanimously.

15. Consideration and action an Ordinance amending Chapter 14 – Animals, Article V – Section 14.52 Care and keeping of any livestock or fowl. (First Reading)

Staff requested this item be removed and brought back in two weeks addressing a different portion of the Animal Control Ordinance that would better address the concern of livestock in the smaller residential areas.

Council Member Diehl questioned if this was brought to the staff's attending in December 2016 why this was taking so long to get changed.

16. Consideration and action of an Ordinance amending Chapter 50 – Streets, Sidewalks, and Other Public Places, Article III – Parks and Recreation Area, Sec. 50-98(f) of the parks use ordinance requiring the minimum number of security personnel. (First Reading)

Police Chief Stan Bynum stated last spring during the Round-Up Days events, this concern of security during an event was deemed in excess of the needs of the event. With Round-Up Days occurring later this month, this is an attempt to make a change to the policy.

It was also noted that any Ingleside Officers hired by the Ingleside Chamber of Commerce event still falls under the City's Workers' Compensation plan if they are injured while performing a police officer duty. Council Members acknowledged this information.

Council Member Schack made a motion to move to a second reading the Ordinance amending Chapter 50 – Streets, Sidewalks, and Other Public Places, Article III – Parks and

Recreation Area, Sec. 50-98(f) of the parks use ordinance requiring the minimum number of security personnel: and was seconded by Council Member Knippa. The motion was approved unanimously.

17. Consideration and action authorizing the Gypsy MC International usage of Live Oak Park on May 5th, 6th and 7th, 2017.

Parks and Facilities Manager, Mariana Garcia stated that under our current Ordinance, all camping must be brought to the Council for approval and there is also the issue of the security ordinance previously discussed.

Mayor Pro-Tem Adame made a motion authorizing the Gypsy MC International usage of Live Oak Park on May 5th, 6th and 7th, 2017 and then withdrew his motion.

Mr. Sean Feenaghtry of the Gypsy MC International asked if the required security had to be paid for or could be on a volunteer basis due to some of their members being police officers. Council Member Diehl stated that Ordinance doesn't specify an amount to be paid, so that is not an issue. Chief Bynum agreed that as long as they communicate with the Police Department who is in charge and who their security contact is, like they have in the past, there should not be any issues.

Mr. David Pruitt stated he feels the noise during these events is unbearable to him and his family due to windows rattling and until 12:00 midnight. He also stated that last year there was cooking oil poured around a few trees and this could kill the trees.

Mr. Feenaghtry stated their events are catered so there shouldn't be that type of cooking going on. Additionally he stated they would move the music towards the back of the designated area in order to help with the noise as best they can. Chief Bynum stated they will monitor the decibel levels.

Council Member Diehl made a motion authorizing the Gypsy MC International usage of Live Oak Park on May 5th, 6th and 7th, 2017; and was seconded by Council Member Schack. The motion was approved unanimously.

18. Consideration and action of an application for the sale of off-premise consumption of alcohol less than 300 feet from a Day Care Facility.

City Secretary Kimberly Sampson explained that the application presented to the City Secretary Office for the new business being built at the corner of Avenue B and Amarillo Street is for Off Premise Consumption only; however, the City and State location restrictions specify they are not to be allowed within 300 feet of a School or Day Care being measured from property line to property line. The State regulations permit a local governing body to allow for variances for certain circumstances, but not the staff. Ms. Sampson has had a phone conversation with the Day Care facility supervisor and they do not have a concern with this off-premise consumption application. There was already one closer to the Head Start program before they opened, and they have not had any issues to date. Although we did request this opinion be put in writing, we have not received it as of the date of this meeting.

There was discussion that this could be setting precedence, but each case will have to be considered on a case by case basis brought to the Council. There was concern that this was not mentioned to the Building Department until well into construction; however, the Building Department does not handle the TABC license. Council Diehl questioned if the business wanted to change to on-premise consumption, what would be required and Ms. Sampson stated it would be required to be brought back to Council for consideration if any changes are made.

Council Member Diehl made a motion to approve the application for the sale of off-premise consumption of alcohol less than 300 feet from a Day Care Facility for the new business being built at the corner of Avenue B and Amarillo Street; and was seconded by Council Member Schack. The motion was approved unanimously.

19. Consideration and action to award a contract to Ron Cox Consulting for the City Council Planning Session tentatively scheduled for May 20, 2017.

City Manager Melissa Byrne Vossmer reminded the Council that she had discussed this with them during her interview process and then again in one on one meetings with them when she first started. This type of strategic planning involves the consulting meeting with each council member individually, then as a group, then to meet with staff, and lastly back to Council. This type of planning helps the city to strategically plan multiple years in advance for projects, budgets, etc. The cost is estimated to be \$7,360 and can be funded from the Council Reserve which is approximately \$86,500 at this time.

Council Member Diehl made a motion to award a contract to Ron Cox Consulting for the City Council Planning Session tentatively scheduled for May 20, 2017 in an amount not to exceed \$8,000 and to be funded by the Council Reserves; and was seconded by Council Member Knippa. The motion was approved unanimously.

20. Consideration and action authorizing staff to seek a Request for Proposal Operational and Organizational Assessment, Classification and Compensation Study of the City of Ingleside.

City Manager Melissa Byrne Vossmer reminded the Council that there is \$50,000 in the Capital Improvements Projects funding for this purpose. At this point the staff is seeking direction from Council regarding the scope of work to be performed to make sure this is what the Council envisioned. Council Members questioned if \$50,000 would be enough for the scope of work and Mrs. Byrne Vossmer stated she feels the estimate may be more along the lines of \$65,000, but we just don't know at this time. She did note that the Policy and Procedure Manual is being reviewed in-house at this time and staff should have a rough draft in about 60-days.

Council Member Schack made a motion authorizing the staff to seek a Request for Proposal Operational and Organizational Assessment, Classification and Compensation Study of the City of Ingleside; and was seconded by Council Member Diehl. The motion was approved unanimously.

21. 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. **Consideration and action of sending staff to attend the International Council of Shopping Centers (ICSC) 2017 annual event in Las Vegas and approve the use of 4-B funds.**
- B. **Consideration and action of updating our Retail Market Profile to be utilized with economic development opportunities and approve the use of 4-B Funds.**
- C. **Consideration and action of the approval of the Memorandum of Understanding (MOU) with San Patricio Economic Development Corporation (SPEDC) with regards to the funding of a Geographical Information Systems (GIS) staff member.**

Council Member Diehl made a motion to approve the Consent Agenda and was seconded by Council Member Tucker. The motion was approved unanimously.

Work sessions:

22. Discussion of requested amendments to Chapter 30 Article III – Weeds, Trash, Rubbish, Debris, Green Waste, Stagnant Water, to include updated definitions and enforcement for non-customary outdoor storage not defined in the current code.

Interim Building Official Carey Dietrich and Code Enforcement Officer Eric Koenig presented to Council photos and a draft of potential language for the code enforcement department to better enforce the use of outdoor storage. The draft wording is an attempt to better describe excessive outdoor storage and better define the enforcement tools to get the violations abated and help neighborhoods work together. Staff have looked at area cities to help better define the guidelines.

Council Members agreed the quality of life is improved with the clean-up of the neighborhoods, but it was noted that the City must also keep up our properties to the same level we expect the public to keep theirs. Staff agreed and this will be put into Ordinance format and returned to Council for action as soon as possible.

Mayor Pro-Tem Adame recessed the regular meeting at 8:29 p.m. for a sort break.

Mayor Pro-Tem Adame reconvened the regular meeting at 8:36 p.m.

23. Report and Discussion on the March 9, 2017 Street Committee Meeting.

Gabriel Ortiz of Naismith/Hanson Engineering explained there are two areas on recent pavement of Tiner Lane that are holding water. At this time, the contractor is going to add another layer of rock to these areas and then between the sun and the traffic we will monitor for low area again. The additional area of concern is the narrowing of the street where the culverts are. The contractor and city staff are working together to extend the culvers (three feet on the North and five feet on the South) to the limit of the ROW. Due to other concerns, guard rails are also being considered. With the city providing the pipe, the contractor will charge an additional \$5,200 to install. The cost of the guard rails was not known at the time of this meeting.

Mr. Stewart Wilson stated after the more recent rains, he feels there are more than just two areas holding water. There were some additional photos of the standing water, but as of this meeting, they have not been shared with the City Manager. He suggested that after the construction of the apartment complex at Avenue A and SH-361 is complete, that the city do a hot mix to smooth the surface out. Council Member Adame suggested that no hot mix be considered until the drainage across or down Tiner Lane be completed.

Council Member Diehl stated he didn't think the city should wait for the sun/traffic to fix the situation. He agreed that all of the engineering testing came back fine, but the end product is not user friendly. He feels the staff member needs to inspect these type of things as well before a Contractor is released from the work site.

Council Member Schack questioned if the city should forego any future two-course overlay and only use hot mix. Mr. Ortiz stated the hot mix is naturally smoother and that is an option; however, the cost is two and a half times the cost of the two-course overlay.

Mr. Ronnie Parker questioned the slope of the culvers and if more ROW was needed. City Manager Melissa Byrne Vossmer agreed the ROW is an issue and the long term solution would be to acquire additional ROW.

Council Member Diehl suggested that the Council allow the City Manager a chance to see the new photos, look into the costs of the guard rails, and get back with the Council in two weeks.

24. Staff Reports

City Secretary Kimberly Sampson notified the Council and the Public that the San Patricio County Election Administrators Office will provide a hands-on presentation of the Election Equipment at the March 28, 2017 Council Meeting. Everyone will be allowed to have hands examples of the equipment.

25. Requests from Council Members

Council Member Diehl requested an update regarding the Animal Control direct dial phone. City Secretary Kimberly Sampson stated the staff has finally located either the fourth or fifth company involved in this inquiry to find who "owned" the number. That company has been notified and the technicians are scheduled for March 29, 2107 to turn the Animal Control direct dial phone number and the City Secretary fax number over to CableOne and the City's number's should be working again.

Council Member Diehl thanked the staff for the new "Request from Council" list and the "Tentative Future Agenda" items so the Council is aware of what the staff are working to bring forward. He also thanked the City Manager for her very comprehensive weekly report from last Friday.

Council Member Schack/Adame/Diehl requested that the staff make sure all flags flying 24/7 have light on them at night. Be sure to check the daylight savings time and adjust accordingly twice per year for the flags and the entry way sign into the City.

Council Member Diehl requested an assessment of speeding on Tiner Lane before any potential for Hot Mix is considered.

Council Member Diehl stated he would like to see a note to the public like "From the Desk of the City Manager" in newspaper quarterly or something like that.

Council Member Diehl said he is received positive feedback from the public regarding the increased Traffic Enforcement. Good job to patrol.

Council Member Diehl questioned when the sidewalks were removed from the apartment designs at Avenue A/SH-361 and what can be done to fix the situation.

Council Member Diehl requested an update regarding the sidewalks along SH-361.

Council Member Tucker noted the cleaning of curbs and sidewalks along FM 1069 is looking really well. Thank you and keep up the good work.

26. Adjourn

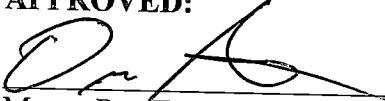
There being no further business, the meeting was adjourned at 9:10 p.m.

ATTEST:



 Kimberly Sampson, City Secretary

APPROVED:



 Mayor Pro-Tem Oscar Adame