

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
MAY 09, 2017**

1. Call meeting to order

The meeting was called to order at 6:31 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, John Schack and Council Member Elect Ronnie Parker. 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

Ingleside Chamber of Commerce President Jane Gimler announced a Save the Date for the Annual Installation Banquet is set for October 14, 2017. She also announced that new staff member Barbara Grey will be working to prepare items for the TML Annual Conference they will be attending to promote Economic Development within Ingleside.

Mrs. Donna Garcia expressed her concern for the unkempt yard and house across the street from her home on Timberleaf Circle. There grass is way too high, the dog is kept on a run with little food/water, she routinely trades out the used items from her second hand store in Aransas Pass so the City staff have difficulty ticketing her. The neighbors have complained and citations have issued, but the issue continues. Mrs. Garcia expressed her desire that the Ordinance as agenda item # 8-C tonight be approved.

Presentations:

6. Presentation of Proclamation for Motorcycle Safety and Awareness Month for May 2017.

Mayor Lamas presented the Proclamation for Motorcycle Safety and Awareness Month for May 2017 to Ms. Sylvia Galavis and other motorcycle present at tonight's meeting.

Public Hearings:

7. Regarding an application for a Special Permit to temporarily allow someone to live in a Recreational Vehicle (RV) to assist with renovations to existing cattle corrals located at Lots 1-5, Blocks 102 and 103, McCampbell Subdivision.

Mayor Lamas opened the Public Hearing at 6:42 p.m.

Speaking in favor of the Special Permit was Mr. Jim Price. He is requesting this temporary use of a RV at the private location near the headquarters and corrals while renovations are ongoing of the corrals. There is already electricity and septic system at the site. Once the corrals are complete the RV will be removed.

There were no speakers against this request.

Mayor Lamas closed the Public Hearing at 6:47 p.m.

Action Items:

8. 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 the minutes of the March 28 and April 11 and 25, 2017.**
- b) **Ordinance # 2017-12 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. (Final Reading)**
- c) **Ordinance # 2017-13 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. (Final Reading)**

Council Member Adame made a motion to approve the Consent Agenda and was seconded by Council member Knippa. The motion was approved unanimously.

9. Canvass returns from the General Election held on May 6, 2017, and adopt a Resolution certifying the returns.

City Secretary Kimberly Sampson provided the results of the Special Election held on May 6, 2017 as follows:

Name Proposition	Total Votes Received
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Proposition 1 - Should Section 3.15 of the City Charter be amended to eliminate the requirement that notice of the availability of the audit at City Hall be published in a newspaper?

Yes	136
No	248

Proposition # 1 denied by 112 votes

Proposition 2 - Should Section 4.01.E.6 of the City Charter be amended to give the City Manager 90 days after the end of a fiscal year to provide the annual report to the Council?

Yes	237
No	147

Proposition # 2 was approved by 90 votes

Proposition 3 - Should Section 4.01.E.6, of the City Charter be amended to eliminate the requirement that the audit be included in the annual report submitted by the City Manager?

Yes	128
No	254

Proposition # 3 denied by 126 votes

Proposition 4 - Should Section 4.01.E of the City Charter be amended by adding a new subpart 12 to specify that one of the City Manager's duties is to sign contracts approved by the City Council?

Yes	314
No	64

Proposition # 4 approved by 250 votes

Proposition 5 - Should Section 5.01.F of the City Charter be amended to eliminate the requirement that the City Secretary maintain the County Tax Assessor's list of registered voters at the Office of the City Secretary and to simply advise that the list can be obtained from the County Voters Registrars/Election Administration Office?

Yes	214
No	158

Proposition # 5 approved by 56 votes

Proposition 6 - Should Section 5.02.A.2 of the City Charter be amended to eliminate the requirement that a candidate for Council not be in arrears in the payment of taxes or any other liabilities due to the City?

Yes	130
No	245

Proposition # 6 denied by 115 votes

Proposition 7 - Should Section 5.02.A.6 of the City Charter be added to provide that a councilperson who runs for another elective public office, whether state, federal or county, must resign from the Council?

Yes	293
No	86

Proposition # 7 approved by 207 votes

Proposition 8 - Should Section 5.03.D of the City Charter be amended to eliminate the specific language required on a ballot and to instead provide that the wording and order of the ballot shall be in accordance with Texas Election law?

Yes	271
No	97

Proposition # 8 approved by 174 votes

Proposition 9 - Should Section 7.07 of the City Charter be amended to provide that any funds not expended, disbursed or encumbered be deemed excess funds to be appropriated by the Council?

Yes	195
No	169

Proposition # 9 approved by 26 votes

Referendum 1 – The proposed Ordinance prohibits smoking in public places. It is more restrictive than the presently existing ordinance and would, if passed, replace the existing ordinance. Are you in favor of the proposed Ordinance.

Yes	196
No	206

Referendum # 1 denied by 10 votes

TOTAL # OF VOTERS: 415

Ms. Sampson explained that even though Proposition # 6 was not approved by the public to be removed from the Charter, it is still not enforceable by State Law.

Council Member Diehl made the motion to approve Resolution # 2017-10 canvassing the returns from the Special Election held on May 6, 2017, and certifying the returns. The motion was seconded by Council Member Adame and approved unanimously.

10. Mayor issues Certificates of Election.

Mayor Lamas issued the Certificates of the Election to the unopposed candidates: Council Member Knippa, Parker, and Adame

11. Administer Oath of Office to newly elected officials.

Municipal Court Judge Valarie Glover administered the Oath of Office to the newly elected officials.

Mayor Lamas recessed the regular meeting for a short break at 6:57 p.m.

Mayor Lamas reconvened the regular meeting at 7:17 p.m.

12. Consideration and action of an Ordinance granting a Special Permit to be allowed to temporarily have someone to live in a Recreational Vehicle (RV) to assist with renovations to existing cattle corrals located at Lots 1-5, Blocks 102 and 103, McCampbell Subdivision and further providing for effective date, reading, severances, and publication. (First Reading)

Council Member Underbrink stated he is against Special Permits in general and he does not believe it will take one (1) year to build corrals. Mr. Jim Price explained this individual doesn't have a job and needed a place to live while he is working on this project.

Council Member Tucker made a motion to pass to a second reading the Ordinance granting a Special Permit to be allowed to temporarily have someone to live in a Recreational Vehicle (RV) to assist with renovations to existing cattle corrals located at Lots 1-5, Blocks 102 and 103, McCampbell Subdivision and further providing for effective date, reading, severances, and publication; and was seconded by Council Member Kinppa. The motion was approved by Mayor Lamas and Council Members Tucker, Adame, Knippa, Parker, and Schack; and Council Member Underbrink voting no.

13. Consideration and action of an Ordinance amending Chapter 62, Traffic and Vehicles, Ingleside Code of Ordinances, by adding a new Article V, Golf Carts and further providing for effective date, reading, severances, and publication. (First Reading)

City Manager Melissa Byrne Vossmer explained this Ordinance was at the request of a citizen and the Council supported it being brought forward for consideration.

Police Chief Stan Bynum stated that in speaking with area Police Chief there are mixed concerns. Port Aransas is decidedly against it and Rockport and Aransas Pass state they have not had too many issues. The Ordinance presented requires the owner to provide proof of insurance, it can only be driven during day light hours, and requires that the owner declare to having the specific safety requirements and that it meets the required State guidelines. The Ordinance presented is for Golf Carts (as defined by State regulations) only.

Council Member Underbrink suggested adding Gators. Council Member Parker suggested adding Utility Vehicles (UTV's). There was additional discussion regarding the speed of Golf Carts, Gators, and UTV's. Council Member Tucker suggested that the regulations require that the rules provided by the City be kept on/in the vehicle at all times just as Port Aransas recommended. Mayor Lamas stated he felt that was more for rental units.

Council Member Underbrink made a motion to pass to a second reading the Ordinance amending Chapter 62, Traffic and Vehicles, Ingleside Code of Ordinances, by adding a new Article V, Golf Carts and further providing for effective date, reading, severances, and publication with the addition of Utility Vehicles; and was seconded by Council Member Parker.

Mrs. Debra Sanders questioned the insurance and Chief Bynum explained it is very similar to what is required for regular vehicle. She further questioned if these items would be allowed to drive on the sidewalks and Chief Bynum stated they will be considered street legal and thereby not allowed on sidewalks.

The motion was approved with Mayor Lamas and Council Members Tucker, Underbrink, Adame, Knippa, and Parker; and Council Member Schack voting no.

14. Consideration of Mid-Year Budget Review and action of an Ordinance amending the 2016-17 Budget for the City of Ingleside to provide for the expenditure of an additional \$197,153 from the General Fund, and additional \$7,570 from the Utility Fund, and \$345,000 from the Grants Fund, and providing for the effective date, reading and severance. (Budget Amendment 2017-006). (Single Reading)

City Manager Melissa Byrne Vossmer stated this is the mid-year review for needed transfers. Finance Director Paul Baen stated the increased sales tax revenues are due to one-time sales events within the industry partners and thereby should not be budgeted in the future. He further indicated that the preliminary tax rolls indicate a 15% increase in the total valuations.

Mayor Lamas made a motion to approve the Ordinance amending the 2016-17 Budget for the City of Ingleside to provide for the expenditure of an additional \$197,153 from the General Fund, and additional \$7,570 from the Utility Fund, and \$345,000 from the Grants Fund, and providing for the effective date, reading and severance; and was seconded by Council Member Schack. The motion was approved unanimously.

15. Consideration and action of the Windstorm Insurance Renewal and the possible Flood Insurance Policy.

City Secretary Kimberly Sampson explained the two windstorm options provided as: Option 1 is quoted at \$95,600 with a \$10,000/occurrence deductible; and Option 2 is \$94,000 with a \$25,000/occurrence deductible. The lower deductible is an additional \$1,600 annually. Staff recommends Option 1.

Due to the flooding in May 2016, it was requested that the staff look into the cost of flood insurance for the City. In 2016, the City spent about \$20,000-\$30,000 for damages to the Humble Recreational Facility (most of the cleanup was accomplished by City staff and over time incurred). The proposal provided by TML-IRP is an annual fee of \$7,770 with a \$10,000 deductible/occurrence and is for the 100-year flood events. Staff does not recommend approval.

Council Member Underbrink made a motion to approve the AXIS Surplus Option 1 at \$95,600 with a \$10,000/occurrence deductible and not to approve Flood Insurance; and was seconded by Council Member Parker. The motion was approved unanimously.

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

Council Member Underbrink stated he requested this agenda item be reconsidered due to him being out of town during the May 30, 2017 meeting, but would be available if it remained at the May 23, 2017 date. It was noted that the Mayor would not be available for the May 23, 2017 meeting due to him being in Washington, DC; and City Manager and City Secretary would also be out of the area attending the ICSC conference.

Council Member Parker made a motion to keep the regular City Council Meeting schedule for May 30, 2017; and was seconded by Council Member Knippa. The motion as approved by Mayor Lamas and Council Members Tucker, Adame, Knippa, and Parker; Council Member Schack voting no; and Council Member Underbrink abstaining.

Work Sessions:

17. Discussion for possible Incentive Package(s) for Potential Business(es).

Council Member Parker stated he requested this agenda item in order to open the discussion for the staff to have minimum standard incentive packages when they meet with potential developers. Currently there are not basic incentive packages for different variations of industry versus commercial versus residential developers.

Mayor Lamas suggested this could be discussed at the May 20, 2017 Strategic Planning Session.

Mrs. Debra Sanders suggested that there be SPEDC be involved as well.

18. Staff Reports

City Manager Melissa Byrne Vossmer reminded the Council of the May 20, 2017 Strategic Planning session and noted it would be about six to seven hours in total. She also noted that Town Hall meeting is being planned for the Avenue B Drainage project. Letters to the neighborhoods affected will be mailed June 1, 2017.

19. Requests from Council Members

Council Member Adame thanked the staff for responding to the request for resident at Atlana Lane and 6th Street and for looking into the cost to repair the windmills.

Council Member Underbrink thanked the Council and Public for being patience during his recent illness. He is doing much better and expects to be at the future meetings.

Council Member Parker stated he is glad to be back on Council and looks forward to working with everyone to help move the city forward.

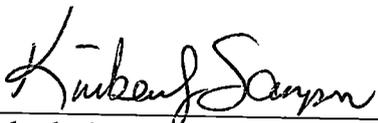
Council Member Tucker requested that in the future when the staff plan to make server changes, that they notify the Council in advance.

20. Adjourn

There being no further business, the meeting was adjourned at 8:23 p.m.

ATTEST:

APPROVED:



Kimberly Sampson, City Secretary



Mayor Luis Lamas