

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
FEBRUARY 27, 2018**

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, Oscar Adame, Bill Underbrink, Dennis Knippa, Ronnie Parker, and John Schack. Staff present: City Manager Melissa Byrne Vossmer, Finance Director Paul Baen, and City Secretary Kimberly Sampson. There were approximately 40 guests.

2. Roll Call

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Mr. Joseph Pleska provided an overview of his situation with Animal Control and stated he is appeal to the Animal Control Board of Appeals for the treatment of him and his dogs.

Presentations:

6. Presentation from Bullock Construction on Sludge Removal at the Wastewater Plant.

Mr. Frank Rex and Mr. Mark Bullock of Bullock Construction presented the method of cleaning the slug out of the bottom of the sewer plant and how explained how it helps with the efficiency of the plant on a day to day basis and during the high influx of rain water. Most places find it helps their test results as well. This process does not increase the capacity of the plant for your TCEQ requirements, but it does help the staff and is less strenuous on the equipment to clean the water when this build-up of sludge is removed. They are not a sole sore provider, there are other companies, Bullock Construction is just the only one in the local area.

Public Hearings:

N/A

Action Items:

7. Discussion, consideration, and action regarding the approval of Facility Use Agreement with Ingleside Little League to have exclusive rights to Live Oak Sport Complex baseball and softball fields from February 28, 2018 to July 31, 20178.

Council Member Parker questioned the number of times the staff are committed to mow and weed-eat during the contract period. In the previous discussions it was stated once per month and this contract reads for once per week. Ingleside Little League President, Mr. David Morgan, stated he was fine with once per month.

Council Member Underbrink questioned since the public pays for these fields, why can't the public use them. Mr. Morgan stated that during the contract period the Little League is willing to work with entities to use the field when they don't have scheduled events. City Manager Melissa Vossmer stated that the Dixie Diegel fields located behind City Hall are also available for the public.

Council Member Parker suggested that a sign be put at the Live Oak Fields with the name and phone number for a Little League contact for the public to work with. It was also noted that the Champs League would still have access to the Pony League Field.

Council Member Schack stated the adult softball teams can possibly do damage to a Little League Field, so he suggested the adult leagues use the Dixie Diegel Fields.

Council member Schack made a motion to approve the Facility Use Agreement with Ingleside Little League to have exclusive rights to Live Oak Sport Complex baseball and softball fields from February 28, 2018 to July 31, 2018 with the change from once per week to once per month mowing/weed-eating; and was seconded by Council Member Parker. The motion was approved unanimously.

8. Discussion, consideration, and action regarding an Ordinance amending Financial Controls and Policies Section 2-200 to increase the requirement for advance approval by the City Manager for any purchase of \$500 or more to \$2,000 or more and a Resolution of the City Council of the City of Ingleside, Texas amending the City of Ingleside Fiscal and Budgetary Policy Statements. (Final Reading)

Council Member Adame questioned who is responsible to make sure the funding for a Purchase Order (PO) is within the department's budget and Finance Director Paul Baen stated it is the Department Manager who is responsible for their specific department's budget.

Mayor Lamas stated the need for the \$500 limit was when the City was in a much more difficult financial situation. At this time he feels we can increase this to \$2,000.

Council Member Parker made a motion to approve Ordinance # 2018-02 amending Financial Controls and Policies Section 2-200 to increase the requirement for advance approval by the City Manager for any purchase of \$500 or more to \$2,000 or more and Resolution # 2018-06 of the City Council of the City of Ingleside, Texas amending the City of Ingleside Fiscal and Budgetary Policy Statements; and was seconded by Council member Knippa. The motion was approved unanimously.

9. Consideration and action of an Ordinance repealing the old Employee Policy, and Procedure Manual and replacing it with a revised Employee Policy and Procedure Manual; providing for severability; providing for a repealer and setting an effective date. (Final Reading)

Council Member Parker made a motion to approve Ordinance # 2018-03 repealing the old Employee Policy and Procedure Manual and replacing it with a revised Employee Policy and Procedure Manual; providing for severability; providing for a repealer and setting an effective date; and was seconded by Council Member Schack. The motion was approved unanimously.

10. Discussion, consideration, and action authorizing the staff to renew the employee insurance plan(s) with Texas Municipal League – Intergovernmental Employee Benefits Pool (TML-IEBP). (Tabled from 1/13/18)

City Secretary/HR Director Kimberly Sampson explained the different options brought to Council and how the options are different from the current year plan.

Council Member Parker made a motion to approve Option F which has no co-pay, \$800 deductible, \$4,000 out of pocket expense, with a \$750 HRA Card. The motion died for a lack of a second motion.

Council Member Underbrink made a motion to approve Option B that has a \$25.00 co-pau for office visits, \$1,250 deductible, \$4,000 out of pocket expense, with a \$400 HRA Card; and was seconded by Council Member Schack. The motion was approved with Mayor Lamas and Council Members Tucker, Underbrink, Adame, Knippa, and Schack voting aye; and Council Member Parker voting no.

11. Discussion, consideration, and action of the City Council Minutes dated September 5, 12, 20, 26, October 10, 24, and November 14 and 28 of 2017 and February 13, 2018.

City Secretary Kimberly Sampson stated there were typographical error noted and those have been made with no change of the intent of the minutes. However, there is one corrections that does need to be noted for Council; on page 45, November 28, 2017, item number 17, at the of the first paragraph it states the cost of the 12 radios is \$39,444 and the repeater is \$1,420.55. This should be \$11,420.55, which would also coincide with the motion of a total of \$51,000.

Council Member Adame made a motion to approve the City Council Minutes dated September 5, 12, 20, 26, October 10, 24, and November 14 and 28 of 2017 and February 13, 2018 with the corrections and was seconded by Council Member Tucker. The motion was approved unanimously.

12. Presentation of Ingleside Police Department's 2017 Racial Profiling Report.

Police Chief Kenneth Jenks explained this is the annual Racial Profiling Report required by the State. This report to the Council actually indicates all contacts, whereas the State only requires the tickets and arrest made. The report indicates no racial profiling.

13. Discussion, Consideration and Action Approving a Modified Task Order – 1 between the City of Ingleside and H2O Partners.

City Manager Melissa Byrne Vossmer explained that even though the RFP requested engineer work, a dollar figure for an architect/damage inspector was not included in the original response. Because it was in the original RFP, we are not required to seek a RFP, but we are required to make a change to the current Task Order. The total cost of the project is estimated to be \$600,000; however, our first Task Order is only for \$90,000. As this Task Order is completed, the staff and H2O will be bringing another Task Order so the Council can see what all is accomplished as we move forward. This amendment to Task Order - 1 is being requested to include the architect/damage inspector in order to assist the staff as we review the FEMA assessment of the damage to our various structures.

Council Member Parker made a motion to approve the modification to Task Order – 1 between the City of Ingleside and H2O Partners to include the Architect/Damage Inspector at \$225/hour; and was seconded by Council Member Schack. The motion was approved unanimously.

14. Discussion, consideration, and action Directing Staff to Develop a Contract with Ingleside Independent School District for the Placement of Ingleside Police Officers in School(s).

Council Member Parker stated he was speaking with a couple of different Ingleside Independent School District (IISD) Board Members regarding a School Resource Officer (SRO) Program for several months and then the terrible incident occurred in a Florida School and we have had a few bomb threats in our own school causing campuses to be shut down. This is an increasing problem and we need to work together to fix. A possible immediate fix could be the shared cost of an off duty police officer working in the school. The school has recently begun using off duty officers at the rate of \$35.00/hour to be present in the school. They have asked if the City would consider a 50/50 cost share of these services. City Secretary/HR Director, Kimberly Sampson reminded the Council that while working any police officer capacity within our city limits, the City is automatically liable for workers' compensation and liability claims.

Council Member Adame questioned if the officers can arrest and prosecute these incidents. Police Chief Kenneth Jenks explained that as a police officer, they have to have probably cause and evident in order to arrest. Whereas the School has a different set of rules and they can expel a student with less information.

Chief Jenks stated that the current action by IISD to use off duty officers will not require an increase in the workforce of the Ingleside Police Department (IPD). If IISD decides to pursue an SRO program, that will require an increase in staffing of the IPD.

Council Member Schack made a motion authorizing the staff to negotiate a long term contract with IISD and was seconded by Council Member Parker. The motion was approved unanimously.

15. Discussion, consideration, and action of Hurricane Harvey Recovery updates and ratification of related expenditures.

Finance Director Paul Baen provided an overview of the expense to-date and requested the Council to ratify the checks paid to date. The Debris pick up has ended, the Mold Remediation of the Library has ended. Lucas Pagan of H2O Partners explained that we have requested FEMA reimbursements of \$1.8M to date and he will be calling the State Representatives daily to see if they can help FEMA expedite our reimbursement.

Council Member Adame made a motion to ratify the Hurricane Harvey Recovery expenditures to date totaling \$2,637,335.45; and was seconded by Council Member Parker. The motion was approved unanimously.

Recovery Specialist Chris Kehl provided a handout to the Council of the list of Hurricane Harvey Recovery Projects and where they are in process of work being done. Mr. Kehl noted that he and the City Staff had a conference call with the City's windstorm provider, Axis, on Monday and explained how their approximate \$265,000 estimate of damages was inadequate and Axis has requested our FEMA documents indicating more damage. As soon as we get that list of damages back from FEMA, we will be providing to Axis; however, this could take several months to get from FEMA due to their internal checks and balances as well as the sheer volume of claims they are already reviewing.

Council Member Underbrink stated that the repairs to these facilities have to continue and therefore bills have to be paid. He suggested that the day to day expenses be reduced to the minimum until such time we can get some funds back from FEMA.

City Manager Melissa Byrne Vossmer announced that just today she met with other city representatives along with County Judge Terry Simpson and H.E. Butt Foundation. There have been some cities that have received donations from other foundations that allowed them to hire recovery specialists at no cost to the city to help them through this process. In San Patricio County, we have not had that opportunity and the Butts Foundation is extending that offer. In the next few weeks/months, Mrs. Vossmer will be working with the area cities and county to put together a list of needs that the Butts Foundation can consider for assistance.

Work Sessions:

16. Discussion regarding the Animal ordinances of the City of Ingleside.

Police Chief Kenneth Jenks explained that Council Member Parker has been discussing the City's Animal Control Ordinance with him recently. Chief Jenks agrees the Ordinance is outdated and needs work. He asked what changes the Council would like to see.

Council Member Underbrink suggested that certain breeds be band from the City Limits. Council Members Parker, Schack, and Tucker disagreed, stating that it is the owner's responsibility and liability to care for the dog. Just as it is a property owner's right to have a dog, it is also the neighbor's right to not be harassed by said dog.

Mr. Joseph Pleska stated following the hurricane, he had no fence and therefore it's not his fault that his dog was roaming the neighborhood. Council Member Schack disagreed and stated as a property owner it is still your responsibility to maintain your animal on your property or use a leash.

Mayor Lamas made a motion to table this agenda item for further discussion and was seconded by Council Member Schack. The motion was approved unanimously.

City Manager Melissa Byrne Vossmer stated the staff would look into other animal ordinances and bring something back to Council in the future.

17. Workshop to discuss utility rates.

Melanie Gavlick with Hanson Services explained that there have been no utility rate increases since 2008, other than direct pass through rates from the water district. In 2016, she was hired for a Utility Rate Analysis. In June 2017 a potential rate structure was brought to Council and at that time the Council requested the Analysis to be restructured to include a volumetric rate. During the budget process, the city did include an estimated rate increase. Although Hurricane Harvey did delay the work with the staff, we are now presenting the revised rate analysis with a volumetric rate increase. One of the concerns with this type of rate increase is if you have a very wet year, your revenues could be less than budgeted. Mrs. Gavlick went over the different options being presented.

Council Member Underbrink questioned if the City of Ingleside is in the middle of the scale of other area cities, and we are using the General Fund to supplement, what is going on in those cities. Mrs. Gavlick stated she has not looked into their budget and audits to know that answer. Council Member Parker stated he feels the reason the General Fund is supporting the Utility Fund is due to the City including depreciation and using half salaries for management.

Council Member Adame asked what the last sentence of the explanation means about using 2019 and 2021 expenses and City Manager Melissa Byrne Vossmer explained that is for the anticipation of a new Waste Water Treatment Plant (WWTP). Council Member Underbrink agreed we need to plan ahead for the WWTP so we aren't blind-sided by these expenses. Council Member Adame disagreed that we should be planning for this during the Hurricane Harvey recovery period.

Council Member Tucker questioned what could be done with regards to the FY 17/18 budget year to make up for the revenues we will not be receiving due to no rate increase. Mrs. Vossmer stated there are a few options; the General Fund will be able to assist in the support, we have received about \$900,000 from unanticipated AEP funds, and we will be looking at this during the mid-year budget review immediately following the audit.

Finance Director Paul Baen stated the use of water is fairly even this year compared to last year, even with the Hurricane Harvey incident.

18. Discussion concerning Legal Representation for the City of Ingleside.

Council Member requested this item due to it being over 25 years since it was reviewed. City Manager Melissa Byrne Vossmer stated this is typically done with an RFQ process; however, last year the City did allow the hiring of Attorney Frank Garza for Human Resources (HR) related items.

Council Member Tucker stated he didn't feel a change in Attorney's would be prudent at this time due to the ongoing lawsuit the City is in with the City of Corpus Christi.

Mayor Lamas agreed using Attorney Garza for HR related items and Attorney Michael Morris for day to day municipal items is working for the City and doesn't see a need to change.

Executive Session:

19. Executive Session – Ken Baker v. City of Ingleside.

In accordance with Texas Government Code Section 551.071 (Consultations with Attorney), Mayor Lamas recessed the Regular meeting to go into Closed Executive Session at 8:52 p.m.

Mayor Lamas closed the Executive Session and reopened the Regular Meeting at 9:16 p.m.

20. Reports from Staff

Recovery Specialist Chris Kehl announced that in review of the Musco Agreement for ballfields at Live Oak Park, Musco is responsible for trenching and placing the electrically engineered lines for the concession stand. Council Member Schack stated they are looking at a future change order to increase the size of the light poles in order to have dual purpose and add lights/poles to the parking area.

21. Requests from Council Members

Council Member Adame requested an update on the body cameras and radios for the police officers.

Council Members Adame and Tucker requested the Hurricane Harvey related items be moved to the top of the agenda so the related staff can have less overtime.

Council Members Tucker and Parker requested an executive session agenda item for March 13, 2018 to discuss spending.

Council Member Schack invited everyone to the basketball closing ceremonies this Friday at 6:00 p.m.

Mayor Lamas requested the staff to look into ways to get rid of the illegal tires being dumped around town. And he requested a future agenda item to discuss the ongoing additional debris pickup related to Hurricane Harvey.

22. Adjourn

There being no further business, the meeting was adjourned at 9:27 p.m.

ATTEST:

APPROVED:



Kimberly Sampson, City Secretary



Mayor Luis Lamas