

# **City of Beach City Council Regular Meeting Minutes**

The Beach City Council met for a Regular Meeting on Tuesday,  
**July 22, 2014** at the Beach City Community Building  
12723 FM 2354 Beach City, TX. 77523

Those present were:

**MAYOR:** Billy Combs

**MAYOR PRO TEM:** Jackey Lasater

**ALDERMAN:** Doug Walker; Dana Colquitt; Ray Smith

**ABSENT:** Paul Newman

**CITY ATTORNEY:** Daniel Jackson

**CITY SECRETARY:** Evonne Donnelly

**ASSISTANT SECRETARY:** Marge Bercaw

## **I. Call to order.**

Mayor Combs called the meeting to order Tuesday, July 22, 2014 at 6:12 pm.  
Mayor Combs called for a moment of silence for Nicol Campise and Kameron Skinner; and offered then prayer.  
Commissioner Senac led the Pledge of Allegiance to the United States and Texas flags.

## **II. Citizens Comments.**

Tabled

## **III. Hear report and update from Chambers County Commissioner, Rusty Senac.**

Tabled

## **IV. Approval of Minutes for Regular Meeting of June 24, 2014.**

Motion to approve minutes:

Motion: Walker

Second: Lasater

Approved: 4-0

## **V. Financial Consent Agenda:**

- a) Review and approve the Financial Statements for previous month.
- b) Review and approve Investment Update
- c) Review and approve Expenditures for the current month
- d) Review and approve the Financial Statements for Fiscal Year 2013-2014
- e) Review and approve Revised Budget for Fiscal Year 2013-2014

Mayor Combs informed Council that in Item (d), the financial statements show an asset of \$5,700.00 on the Balance Sheet and other financial reports. This money is for the Fallen Heroes Memorial Fund and should be offset as a liability account. Council and Mayor discussed adding a footnote to the Balance Sheet Report and to the Profit & Loss Previous Year Comparison Report to clarify the correct allotment of the \$5,700.00.

Mayor Combs noted that there is an amended FY 2013/2014 Budget before Council to review.

**Motion to approve the Financials with the exception of adding a footnote for the \$5,700.00.**

**Motion:** Walker

**Second:** Lasater

**Approved:** 4-0

**VI. Update, discussion and possible action on Traffic Safety and results of TX-DOT Traffic Study for FM 2354 between Fisher RD. and FM 3180.**

Approximately two hundred Beach City and West Chambers County residents were in attendance to hear the update and to voice and/or express concerns for traffic safety on FM 2354 and FM 3180. Most of people in attendance were in response to July 15<sup>th</sup> fatality accident involving a Dump Truck on FM 3180 and passenger car that killed two residents of West Chambers County.

County officials and TXDOT representatives in attendance were:

- Chambers County Commissioner Pct. 4, Rusty Senac;
- Chambers County Commissioner Pct. 2, David "Bubba" Abernathy;
- Chambers County Sheriff, Brian Hawthorne;
- Chambers County Judge, Jimmy Sylvia;
- Chambers County Commissioner-Elect- Pct. 2, Larry George;
- Chambers County Constable Pct. 6, Robert Barrow;
- Chambers County Justice of Peace Pct. 6, Larry Cryer;
- TXDOT Beaumont Director of Transportation, Cory Taylor;
- TXDOT Area Engineer, Omar de Leon and DPS Sergeant, Dana Cothren.

Mayor Combs gave TXDOT Beaumont Director, Cory Taylor the opportunity to speak first. Mr. Taylor stated that he also lives in this area and he has been working with Mayor Combs, Council and the County Commissioners for the last five years on overall safety of the roadways, in Chambers and Liberty Counties. Mr. Taylor stated that Mayor Combs has asked him several times in the last few years to submit issues over to Beaumont, as our area has continued to see growth. Around April, Mayor Combs requested a speed study and asked for suggested improvements around McCollum Park Road. Mr. Taylor did complete the speed study and the findings were not great. The eighty-fifth percentile speed (which is based on the 106<sup>th</sup> car on a 125 car count) was approximately 70 miles per hour (mph). The top speeds were 82-83 mph. The Texas Transportation Code requires a specific way the study is to be performed if the speed limit is to be changed or, if the speed limit remains the same. Normally, the speed limit is set by the eighty-fifth percentile, with a few exceptions;

(a). A narrow roadway pavement width with twenty feet or less.

- (b). Horizontal and vertical curves that are excessive.
- (c) Hidden driveways and other hidden developments that cause limited sight distance.
- (d). High driveway density.
- (e). Crash history along the location.
- (f). Rural, residential or developed areas that have a lot of pedestrian or bicycle traffic.
- (g). Lack of stripped or improved shoulders.

The response from Mr. Taylor for each of the Texas Transportation Code exceptions, pertaining to our roadways in question, are as follows:

(a). FM 3180 has a forty-four foot pavement section (which is over twice the minimum). FM 2354 has approximately twenty-six to twenty-eight foot pavement, depending on which area you are in (this is a forty to fifty percent increase over the minimum).

(b). Mr. Taylor stated that you are not going to get a much flatter or straighter roadway than this section of highway- either one of them; which tends lead to the speeds.

(c). In general, the sight distance is really good out here, the right of ways are decent and maintained pretty well, trees are back. The one exception here is Fishers Road, to which Mr. Taylor, Mayor Combs and others have been working to try to improve the sight distance with the property owners on that stretch of roadway.

(d). Spacing of the driveways are very good in this area. There is a lot of connectivity deep into the driveways with Subdivisions, etc. that causes a lot of turns to occur at those locations; such as McCollum Park Road.

(e). Crash history based on the averages in the State of Texas; there are over one hundred and three accidents per year, **on a similar two-lane roadway like FM 2354 & FM 3180 (which is two accidents per week). The average on our roadways is TEN accidents per year.**

(f). There are not many pedestrians or bicyclist on our roadways.

(g). There is a good white line that delineates the edge on FM 2354.

Mr. Taylor stated that we are all looking for answers and obviously, what does come into play on our roadways is the eighty-fifth percentile speed.

Mr. Taylor commits to doing another traffic study that starts at I-10 and involves the whole corridor; to the South end of FM 2354. Mr. Taylor also stated that the study performed by TXDOT was incomplete, as it involved only part of FM 2354. Once the new study is complete, a formal recommendation will follow.

Mayor Combs asked Mr. Taylor to speak about a potential turn lane at McCollum Park Road. Mr. Taylor's general recommendation was to recommend a turn lane for approval at that section of FM 2354; due to several accidents occurring on that part of the highway. A recommendation does not mean that the turn lane would be approved.

There is a new five lane project for the North section of FM 3180 at I-10 to FM 565 South, which is planned to begin in 2016.

Fourteen individuals signed up to speak, to address all dignitaries present. Mayor Combs reminded everyone that there is a five minute time limit for each individual to speak.

1. CG Hudgins spoke of excessive speeds on FM 2354. Suggested Council pass an Ordinance to control truck traffic.
2. Darlene Pearson is concerned about her teenage daughter driving on FM 2354/FM 3180. She questioned whose child has to be next? Would like the sand pit dump trucks to be made to exit onto TX. 99
3. Jack Trigg requested a speed reduction. He suggests the speed limit be reduced from 65 mph to 45 mph.
4. Shana Bauman suggested the toll be removed from segment I2A on TX. 99; since there is no feeder road to avoid the toll. Require heavy trucks to travel it and rename that section of 99, the Kameron Skinner Parkway.
5. Jack Foster asked TXDOT, the City and County officials to come up with creative ways to implement change. They have the power to make the change.
6. Jay Hammes stated that she has video tape to prove the big trucks are side by side racing on FM 2354 in front of her feed store. She would like to know what she is getting for her \$24,000.00 in taxes if she cannot get a shoulder on her end of FM 2354?
7. Denise King asked that someone please do something. No more lives or families need to be torn apart.
8. Whitney Keene noted that people are passing on the right (shoulder). She believes that there is sufficient room for a turn lane on a forty-four foot wide pavement. This accident did not have to happen.
9. Ron Grant would like to see the City of Beach City implement an ordinance to reduce speed on FM 2354. As a former Marine who has given to his Country, he will be happy to give to the community, just tell him what to do.
10. Shane Bonin spoke of an exit lane to reduce speed. What will the officials do with the good suggestions they have been given tonight?
11. Travis Taylor would like a procedure to lower the load limit on our roads for dump trucks and force them onto TX. 99.
12. Rick Waltershev stated the squeaky wheel gets the grease. This is not a Farm to Market Road anymore. We don't need laws, we need enforcement.
13. Ammaron Stone encouraged residents to stand up and take charge. How long will it take to fix these roads?
14. Stephanie Weston asked, if the truck problem is not going away, where do we get the owners of the trucking company's information?

After a little more than two hours of comments and responses from residents and Officials; Mayor Combs called for a recess and then resumed with the City Council meeting after reconvening.

Recess: 8.25pm

Reconvene: 8:40pm

**VII. November 4, 2014 City Election:**

- a) **Authorize Order of Election and Notice of Election for November 4, 2014.**
- b) **Appoint Election Committee**

City Secretary, Evonne Donnelly and Assistant City Secretary, Marge Bercaw were nominated by Council to serve as the Election Committee.

**Motion to authorize the Election as stated earlier, with two volunteers and appoint Election Committee, (a) and (b).**

**Motion: Smith                      Second: Colquitt                      Approved: 4-0**

**VIII. Approve Service Agreement with Beach City VFD for FY 2014-2015.**

**Motion to approve.**

**Motion: Smith                      Second: Colquitt                      Approved: 4-0**

**IX. Discussion and Possible action on CenterPoint Energy (gas facility) Right of Way (ROW) Permit Application at 15715 Lakeview Drive (RWJ Subdivision).**

Mayor Combs reviewed with Council the permit request from CenterPoint Energy (Gas Facility) to extend their current gas line in RWJ. Mayor Combs did send the request and diagram to County Engineer Bobby Hall for review. Per Bobby Hall, everything looks good to him. However, Mr. Hall suggests that Mayor Combs add a stipulation regarding the depth of the line, etc.

**Motion to approve CenterPoint's ROW Application, with clarification as requested by the County.**

**Motion: Smith                      Second: Lasater                      Approved: 4-0**

**X. Executive Session Authorized by Chapter 551, Section 551.071 of the Texas Government Code:**

- a) Concerning legal action on hazardous and unsanitary conditions on properties located at: 10113 & 10115 Walker Lane**
- b) Concerning Aqua Texas' appeal of rate increase with TCEQ in Barrow Ranch Estates.**

Tabled until next meeting.

**XI. Discussion and possible action concerning hazardous and unsanitary conditions on properties located at: 10113 & 10115 Walker Lane.**

Tabled until next meeting.

There is a meeting is currently scheduled for July 31<sup>st</sup> to include City Attorney, Daniel Jackson; Chambers County Pct. 4 Judge Cryer, Commissioner Rusty Senac; Tammy Jenkins; Chambers County Attorney, Scott Peal and Chambers County Environmental Inspector, Sidney Lewis.  
Mayor Combs also pointed out that in the Agenda packet is a basic guideline on How to Process Health & Safety Code Violations.

**XII. Discussion and possible action concerning Aqua Texas' appeal of rate increase with TCEQ, in Barrow Ranch Estates.**

Tabled until next meeting.

Mayor Combs will schedule a Special Called Council Meeting in the near future to discuss the items that had to be tabled due to time constraints.

**XIII. Hear and consider request from resident Richard Walmsley to abandon a City easement on Mackrell Street.**

Tabled until later date.

**XIV. Discussion and possible action on Permits Ordinance and Fees.**

Tabled until later date.

**XV. Consider enforcement action, legal and/or other, on non-compliance to City ordinances.**

Tabled until later date.

**XVI. Discussion and possible action on selling office bookshelf.**

Motion to authorize the City Secretary to sale the bookshelf.

**Motion:** Lasater

**Second:** Smith

**Approved:** 4-0

**XVII. Update, discussion and possible action on the dedication of the Fallen Heroes Memorial.**

Aldermen Walker, Lasater and Mayor Combs met with Clayton Bracey of Precision Lawns and an NRG representative to review the plans for new benches, lighting and landscaping that will surround the new Fallen Heroes Memorial. Mayor and the committee will meet in the near future to order the stone.

Alderman Smith located a Prayer to be revised and included on the memorial, per the author's approval.

**XVIII. Hear Report & Update on the City Survey.**

Mayor Combs stated that only three more surveys have been received since last month's Council meeting. Mayor Combs officially closed the updates on the City Survey and the results will be posted on FaceBook and the City website.

**XIX. Hear Report & Updates from the Mayor.**

Tabled until next meeting

**XX. Council Members Comments.**

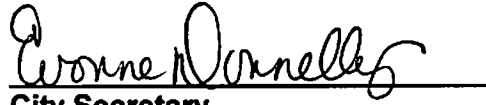
None

**XXI. Adjournment:**

**Motion made to adjourn at 9:08pm:**  
**Motion:** Walker                      **Second:** Colquitt

**Approved: 4-0**

ATTEST TO:



**City Secretary**  
Evonne Donnelly

APPROVED BY:



**Mayor**  
Billy Combs