

COUNTY OF CHAMBERS
STATE OF TEXAS

City of Beach City – City Council Regular Called Meeting Minutes

The City Council of the City of Beach City, Texas met in a **Regular Session** on **November 26, 2019** at the Beach City Community Building, 12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Jackey Lasater, Mayor Pro Tem Dana Colquitt, Alderman Ray Smith, Alderman Walker, Alderman Ryan Dagley and Alderman Paul Newman

Staff Present: City Secretary Evonne Donnelly and Assistant Secretary Deanna Wallace

Legal Counsel Present: City Attorney Daniel Jackson

1. Call to order and announcement of quorum

On Tuesday, November 26, 2019 Mayor Lasater called the Regular Council meeting to order at 6:03 P.M.

2. Invocation and Pledge of Allegiance

Mayor Lasater offered prayer, Alderman Dagley led the Pledge of Allegiance to the United States and Texas flags.

3. Public Comments (Limited to five minutes per person)

None

4. Administer Oath of Office and Statement of Officer for unopposed Council Members: Alderman Ray Smith, Alderman Paul Newman and Alderman Ryan Dagley

City Attorney Daniel Jackson administered the Oath of Office to each unopposed Alderman.

5. Hear report and update from Pct. 4 Chambers County Commissioner, Billy Combs

TxDOT's area engineer, Omar DeLeon, has moved to Austin and his replacement has not been named, as of this meeting.

Chambers County Commissioner's Court is currently reviewing their options for a county wide drainage plan. The east side of Chambers County has a drainage district, Trinity Bay Conversation District. There are approximately seven hundred and fifty (750) miles of drainage ditches on the County's east side. The budget for the drainage district is approximately \$3.5 million dollars. This is reflective of the lack of tax revenue on the east side. Approximately eighty percent of the tax revenue comes from the west side of Chambers County.

The residents in North Point Subdivision will be meeting with Commissioner Combs regarding the development of the land on the west side of FM 2354. This property is owned by TGS (Trans-Global Solutions).

The RWJ drainage project is still on going. Chambers County must complete this project by December 31st, 2019.

TGS cleared an area of land on the south side of the BCVFD. This gives a better line of sight for the fire trucks when departing the station.

Chambers County will continue to work on the drainage around this community building. There will be changes made to the road that runs beside the BCFVD going toward the communications tower. This road has dammed up the property during times heavy rain.

Kilgore Parkway (KPW) will be extended east across TX 99 to FM 3180, beside the Hackberry Creek Storage buildings.

Needlepoint Road will be realigned to come out by the canal next to Houston Products Processing (HPP). You will be able to access Needlepoint Road from FM 565 south and take it north to I-10.

Old Needle Point Road runs behind Chambers Town Center. Chambers County is working with the Center in hopes of creating an entrance from Old Needlepoint road into the back of the Chambers Town Center.

The contract for FM 1409 has been awarded and should be let any day now; the County is waiting on TxDOT's approval. Chambers County will build a bridge so FM 1409 will crossover I-10. This will be a direct road from FM 565 north to FM 565 south. This project may be complete before TxDOT shuts down FM 3180 at I-10.

6. Hear report and update from Beach City Volunteer Fire Department (BCVFD)

There was an eleven alarm fire on Majestic Street, the family is ok.

The BCFVD has some prospective members.

The gear is ten years old and will need to be replaced. The estimated replacement cost is \$30,000 for seven sets of gear.

7. Approve Minutes for Regular Meeting of October 22nd, 2019

Motion to approve the minutes

Motion: Colquitt

Second: Walker

Approved: 5-0

Discussion: Mayor Lasater noted for the record, Alderman Newman was not at the October meeting.

8. Financial Consent Agenda *(All financial consent agenda items are considered routine by Council and will be enacted by one motion. A Councilmember may request an item to be removed and considered separately.)*

(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 Weekly Review of Accounts

Regarding the Fallen Heroes Memorial (FHM), the contract with Precision Lawns has been cancelled due to accounting issues with the office manager. The owner of Precision Lawns reached out to the City Secretary and the City is very grateful for all that Mr. Bracey has done for the FHM in its creation and maintenance throughout the years.

Mayor Lasater will ask the Beach City Civic Club to consider future upkeep of the FHM and report back to Council in December.

Motion to approve

Motion: Newman

Second: Colquitt

Approved: 5-0

9. Hear and accept results from Start, Garcia & Stanley (SGS) regarding the Audit for FY 2018-19

Albert Garcia reviewed the results of the audit with Council.

Some of the recommendations include:

i). review unreconciled / outstanding checks every 90-120 days and decide how to react.

ii). TexasTERM CD's pay interest when the funds mature. However, the accrued interest is being noted on the statements, but not allotted to the QuickBooks CD accounts. It is ok to record this as a receivable.

There is a new pronouncement coming out called GASB 84 that has to do with fiduciary accounts, such as the Fallen Heroes Memorial (FHM) account. Going forward, the FHM account will need to show as part of the fund balance and not just as a liability account.

10. Consider and approve a Resolution accepting the Canvass Results for the City's Sales & Use Tax, Proposition A, from the Chambers County Clerk's Election Division for the November 5, 2019 election

Motion to approve

Motion: Newman

Second: Smith

Approved: 5-0

Discussion: Mayor Lasater stated that this measure passed by 19 votes. All required information must be sent to the State Comptroller's Office by December 31st, 2019.

11. Hear report from representatives of Oceanway Mobile Home Park (OMHP) and consider action on an Order or Ordinance abandoning a section of Ocean Drive from Pleasant Avenue west, three hundred feet within OMHP that involves lots 14-16 and 49-51

Don Brandon is representing the owners, Keith and Sherry Janise, of OMHP. A survey shows there are six homes that are encroaching the City's Right-of-Way by four feet.

There is also a three hundred foot section of Ocean Drive that was not abandoned, many years ago, when the rest of this area of Ocean Drive was abandoned by Chambers County.

Council asked various questions and discussed the pros and cons of abandoning this section of Ocean Drive at length. Part of the discussion entailed setting a precedence by agreeing to an abandonment. Alderman Dagley added that for a living he appraises properties. He stated that this three hundred foot section of Ocean Drive could also be sold.

Mayor Lasater asked to form a committee to review this matter and meet with the buyer.

The committee will include Aldermen Newman, Dagley and Mayor Lasater. A meeting will be scheduled for next week to meet with the potential buyer and/or interested parties.

No action taken.

12. Hear request from Tommy Morrison for "Improvements" to the City Right-of-Way located on Morrison and Ocean Drive

The Morrisons erected two large posts with the intentions of placing a fence on the City's ROW. After a conversation with Mayor Lasater several months ago, they fence installation was halted.

Council was presented with the fence design which was stated to be a four foot wrought iron fence. Tommy Morrison stated to Council that a gate *will not* be placed on this fence to keep the public from entering onto the City's property.

After a lengthy discussion, an agreement will be drawn up for Council to approve the fence.

The parameters of the agreement are mostly listed in the motion and the aforementioned comments will be listed in the agreement.

Motion to approve fencing up to the posts, with the agreement drawn up by Attorney Jackson to state that if at anytime the City needs the property for any reason, the landowner will be contacted and must remove the fence

Motion: Dagley

Second: Newman

Approved:

Discussion: Alderman Newman would like more information about the encroachment variance to be included in the motion and agreement. The motion referring to this variance would include very specific language: parallel to Ocean Drive; four foot wrought iron fence; removal if City determines this is needed for any reason; time frame 30 day notification to homeowner and remove at his/her expense.

Alderman Newman also stated that, Council should know where the fence is going to be and what it is going to be. BCVFD Chief McDonald is not opposed to the fence or posts as proposed.

Alderman Walker is concerned this will open up a Pandora's box.

Amended Motion: to approve fencing up to the posts, with the agreement drawn up by Attorney Jackson to state that if at any time the City needs the property for any reason, the landowner will be contacted and must remove the fence, subject to Attorney Jackson's drawn up variance agreement with City Council and property owner.

Amended Motion: Dagley **Amended Second:** Newman **Approved:** 4 **Opposed:** 1-Walker

13. Consider and approve adding voicemail to the City's Comcast Phone/Internet bill for an additional \$5.00 per month

Motion to approve

Motion: Newman

Second: Colquitt

Approved: 5-0

14. Discuss and consider renewing the following Agreements with Chambers County: Food, Nuisance and On-Site Sewage Facility (OSSF) for 2020

Motion to approve the following agreements with Chambers County: Food, Nuisance and On-Site Sewage Facility (OSSF) for 2020

Motion: Colquitt

Second: Dagley

Approved: 5-0

15. Brought back for discussion from the October 22, 2019 meeting: Discuss and consider amending Ordinance 2010-01 regarding subdivision regulations to coincide with Chambers County's new regulations

No action; will not bring back until Chambers County has held their hearing and made the necessary corrections.

16. Discuss and consider adopting an Ordinance regulating pipelines within the incorporated limits of Beach City

Alderman Newman is currently drafting an ordinance for this item.

Discussion included permitting, design review, a third party company to review all permits and noise restrictions.

A committee consisting of Aldermen Newman, Dagley and Mayor Lasater will meet to review the ordinance prior to presenting this to Council.

17. Discussion on Nominations for the 2019 Volunteer of the Year Award (VOTY)

There are two nominees considered for the 2019 VOTY:

1. Johnny Eversole

2. Daniel Estrada

Mayor Lasater read aloud each nominee's contributions to our community.

After a brief discussion and by a show of hands, Johnny Eversole was selected as the City of Beach City's 2019 Volunteer of the Year.

Council had high praise for Daniel Estrada and the work he has done to organize a toy drive for ill, hospitalized and/or needy children at BHISD and beyond.

Mayor Lasater added that he would like to bring Daniel to the December meeting and present him with a Proclamation of Appreciation.

18. Discuss and consider a Christmas celebration at the December 17th, 2019 meeting

Alderman Colquitt will coordinate the food, etc. for this celebration.

Alderman Newman will be out of town for the December meeting.

19. Discuss and consider City participation with the BCVFD Santa on the Bay

December 6th and 7th will be the annual Santa on the Bay. Mayor Lasater will be out of town.

Alderman Smith and his lovely wife Tammy will contribute all the prefilled candy bags for Council to throw at the little children.

20. Update and discussion from the Beach City Civic Club regarding roadside litter on FM 2354

Mayor Pro Tem Colquitt reported that the BCVFD joined in to assist the 33 volunteers that gathered to help pick up trash/litter in the two mile stretch from Morrison Road north to Fisher Road. The group collected twenty-one bags of garbage.

21. Update and discussion on non-compliance to City ordinances regarding On-Site Sewage Facilities (OSSF)

The latest report on the Bay Place OSSF complaint: the homeowners have signed a contract with a local Septic Installer. Do to other prior contract commitments the installer cannot get to this jobsite until January 2020.

22. Report and update from the Mayor

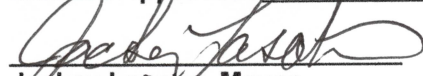
1. Tragically, a woman was killed by feral hogs in Anahuac.
2. A new Texas law states that people attending a Council meeting must be allowed to speak on each agenda item.
3. Mayor Lasater would like everyone to have a safe Thanksgiving.

23. Council Comments


Two weeks ago, Alderman Newman attended the H-GAC Annual General Law Cities Caucus.

24. Adjourn meeting at 9:17 P.M.

Minutes Approved: December 17, 2019


Jackey Lasater, Mayor

Attest:


Evonne Donnelly, City Secretary

