

# City of Beach City

COUNTY OF CHAMBERS  
STATE OF TEXAS

## **City Council Regular Called Meeting Minutes**

The City Council of the City of Beach City, Texas met in a **Regular Session on September 22, 2020** at the Beach City Community Building, 12723 FM 2354 Beach City, TX. 77523

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

**Members Absent:** Mayor Jackey Lasater

**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, September 22, 2020 Mayor Pro Tem Colquitt called the Regular Council meeting to order at 6:02 P.M.

### **2. Invocation and Pledge of Allegiance**

Mayor Pro Tem Colquitt offered prayer and Alderman Newman led the Pledge of Allegiance to the United States and Texas flags.

### **3. Public Comments (Limited to three (3) minutes per person)**

None

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

Chambers County Commissioners Court adopted a No New Revenue Rate. There will not be any raises across the board. This budget closely resembles the County's current budget due to COVID. There is a 10.5% increase in appraised values on the tax roll and this will allow the County to collect an additional \$5.3 million dollars. According to Commissioner Combs, the vast majority of exemptions have rolled off and new property will be added onto the tax rolls.

The County's overall budget is \$141 million dollars.

TGS has agreed to hire a landscape architect to come up with a greenbelt design to encompass their entire park where it abuts residential areas. This would include parts of Fisher Road and most of FM 2354.

### **5. Hear report and update from Beach City Volunteer Fire Department (BCVFD)**

A resident fell from her porch and life flight was called in. Sadly, the resident did not survive. BCVFD also responded to a truck fire on FM 2354.

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## 6. Approve Minutes for Regular Meeting of August 25<sup>th</sup>, 2020

**Motion** to approve minutes for Regular Meeting of August 25<sup>th</sup>

**Motion:** Newman

**Second:** Smith

**Approved:** 5-0

**Discussion:** Alderman Walker questioned Item 5. where Alderman Smith asked a question to Chief McDonald, but the answer in the minutes was not clear to Alderman Walker. Secretary Donnelly read the Chief's response that is noted. Alderman Dagley added the context of Chief McDonald's response was the answer. Alderman Newman concurred there was not a direct answer.

## 7. 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 Statement(s) for the 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

**Motion** to approve the Finances

**Motion:** Walker

**Second:** Dagley

**Approved:** 5-0

**Discussion:** Alderman Newman questioned why the computer cost is more than agreed upon for two laptops. Secretary Donnelly stated the Mayor's laptop was not working and a new one was purchased for him along with the two other laptops for the Secretary and Assistant. Alderman Walker questioned the Internet expenses for two months being at \$400. The budget for the Internet FY is \$600. Secretary Donnelly explained that the telephone and internet are now one cost with Comcast, and Frontier was cancelled last year. Alderman Dagley showed Alderman Walker where the Telephone budget is zeroed out due to combining the two budgeted items in one bill.

## 8. Review and discuss new Capital Bank CD #015

Council agreed to create a CD in the amount of \$235,000 for 12 months at .65% with Capital Bank. This includes funds from the matured CD amount of \$166,750.24 added to \$68,249.76 from the City's General fund.

## 9. Discussion and possible action to approve a request from the BCVFD for the purchase of two new gas detectors, a gas detector stand and a test gas cylinder holder, totaling \$5,671.28

Council discussed allotting \$5,671.28 for two gas detectors requested by Chief McDonald. Alderman Walker questioned the use of the fifteen thousand dollars Council allocated to the BCVFD a couple of months ago. Chief McDonald replied that money was deposited into the account and has not been used for anything. Alderman Walker stated he is very supportive of the fire department, but Alderman Walker suggested the funds for the gas detectors be used from the fifteen thousand dollars already given to the fire department. If they need more, ask Council at that time.

Alderman Newman wanted to follow up on last month's discussion and how the BCVFD was told to come to Council with any requests. Alderman Newman added the Sales & Use Tax budget will be more than budgeted for and he also believes that Council once discussed using all the revenue from the Sales & Use Tax to go toward the fire department. Alderman Walker knows this was

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mentioned once, but as City Council as a whole, he does not remember this being the understanding.

Council will need to decide how to fund the fire department. Alderman Walker thinks they should use the fifteen thousand and if they need more funding for other things come back to Council at that time.

Mayor Pro Tem Colquitt asked Chief McDonald to come back to Council if they need anything else.

No action taken.

## **10. Discussion and possible action to approve a request from Brice Fuselier to purchase the City easement that adjoins his property at 9500 Ocean Drive or grant a variance**

Mayor Pro Tem Colquitt read aloud Exhibits A & B provided by Mr. Fuselier to Council.

Mr. Fuselier presented Council with his request for a variance or, he would prefer to purchase this easement from the City. The Fuselier's water well and garage sit on the City's easement.

Mayor Pro Tem Colquitt has spoken with Mayor Lasater and he believes that each of these requests should be considered on a case by case basis. Mayor Lasater is in favor of Council approving this request. The Fuselier's have a big investment in this property with the well and garage being located on this easement.

Alderman Walker asked Mr. Fuselier what has changed since the last time he came before Council and this was voted down. Mr. Fuselier noted the deterioration of the roadway and the deterioration of the building. Also, there was a variance granted for a homeowner on Morrison Drive and one granted in OceanWay Park. Alderman Walker asked if Mr. Fuselier anticipated a different answer this time and what would make him anticipate this. Mr. Fuselier replied, it's called prayer. Alderman Walker spoke of the precedence that has been set by Council in the past by not selling the City's easements. Mr. Fuselier replied to that comment stating that he believes each request, such as this, should be considered on an individual basis.

Alderman Smith added, this property does not have any effect to appeal to anyone else in the world. This property was purchased with the improvement and water well on the City's easement. These type of requests that Alderman Smith say no to, back up to the bay.

Alderman Dagley stated he is an appraiser for Harris County, and all municipalities, and the land is not ever going to be a benefit to whatever entity owns it. Dagley also noted that the City would never go in and pave this road all the way to the dead end. So, to say we are going to set a precedent, why are we elected if we are not going to vote on things on a case by case basis.

Mayor Pro Tem Colquitt also concurred with Alderman Smith to review these requests on a case by case basis. If it has any kind of water access, then the Mayor Pro Tem will always say no. In this case, there is no reason why Council cannot sell this property.

**Motion** to sell the property to the Fuelier's, price based on appraisal to be acquired

**Motion:** Dagley

**Second:** Smith

**Approved:** 3-2

\*the 2 opposed are Walker and Newman.

Discussion: Alderman Newman noted this is for sale with no consideration for a variance. Alderman Walker asked if the Mayor Pro Tem is allowed to vote on this issue, the answer is yes.

## **11. Brought back from the August 22, 2020 Regular Meeting: Discuss and consider revisions to Ordinance 2014-6 Establishing Permit Requirements**

Table to next month

# City of Beach City

- 12. Brought back from the August 22, 2020 Regular Meeting:** Discussion and possible action regarding citizens complaint requesting possible tree removal in Walker Parkview Subdivision

The tree is leaning and could fall over in a heavy storm.

Mayor Lasater and Mayor Pro Tem Colquitt agree this tree is in the City's easement and should be safely removed by the City to prevent anyone from potentially getting hurt.

Assistant Secretary Wallace has been trying to gather bids. Precision Lawns submitted a bid in the amount of \$2,300. One company rejected our request for a bid due to our location from their office. Alderman Newman asked Attorney Jackson if this is a balance of risk vs. cost and is it our responsibility to mitigate that risk, as the owner of that easement? To which Attorney Jackson replied, it is. Alderman Newman went on to say, it comes down to the fact of \$2,300 or \$1,200 how does that go forward to mitigate our risk. This does not seem like a very large number when you are looking at property damage, etc.

Mayor Pro Tem Colquitt asked Attorney Jackson now that the City has been made aware of this issue...Attorney Jackson stated, you assume liability.

Alderman Walker questioned if the tree is unhealthy; the answer was, yes it is.

Council discussed obtaining three bids and making certain that the chosen tree removal company is insured and/or bonded.

**Motion** to remove the tree, assuming we get three bids and one of those is selected

**Motion:** Dagley

**Second:** Walker

**Approved:** 5-0

- 13. Brought back from the August 22, 2020 Regular Meeting:** Discussion and possible action regarding GoDaddy city email account

After some discussion, Council agreed to remove the 5 Alderman email accounts from GoDaddy.

**Motion** to close GoDaddy City email accounts for the five Alderman

**Motion:** Newman

**Second:** Walker

**Approved:** 5-0

Discussion: Council discussed on how to obtain free email accounts.

- 14. Discussion and possible action on the designation of the City's Representative and Alternate to the Houston-Galveston Area Council (H-GAC) General Assembly for the year of 2021**

Alderman Smith once again nominated Alderman Newman to be the City's representative for the H-GAC General Assembly. Alderman Walker will be the City's alternate.

- 15. Update and discussion on non-compliance to City ordinances regarding On-Site Sewage Facilities (OSSF's)**

The Wilma Lane property owner that ran a pvc pipe from the conventional septic system straight to the drainage ditch, had a plumber come out and remove the line running into the drainage ditch, but the plumber added two more lines from the home to the conventional tank. The homeowner was strictly advised by Secretary Donnelly to hire a Registered Sanitarian or Licensed Installer for this work. They also poured concrete around the drainage ditch and onto their property.

Secretary Donnelly has been trying to obtain guidance from the City's Designated Representative (D.R.) on how to handle this matter with little response.

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Commissioner Combs asked Secretary Donnelly to forward the emails on this matter to him. The D.R. for Beach City is Chambers County's Director of Environmental Health and Permitting.

## 16. Report and update from the Mayor

Mayor Pro Tem Colquitt gave an update on Mayor Lasater's radiation treatments. Mayor Lasater is in a lot of pain, but he only has one more treatment left.

The City laptops that Council did not want to use have been donated to the Fisher Road School. The school sent a thank you card to Council.

Secretary Donnelly also took the City's old Epson printer to this school.

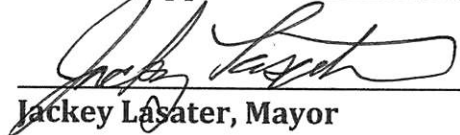
Mayor Pro Tem Colquitt will be collecting donations for a family that she will be purchasing Christmas for. She asked Council to let her know if they are aware of any families in need.

## 17. Council Comments


Alderman Dagley asked when Council will discuss possible alternate dates for Thanksgiving and Christmas, to which Secretary Donnelly answered, next month.

## 18. Adjourn meeting at 7:46 P.M.

**Minutes Approved: October 27, 2020**

  
\_\_\_\_\_  
Jackey Lasater, Mayor

ATTEST:

  
\_\_\_\_\_  
Evonne Donnelly, City Secretary

