

**BEACH CITY COUNCIL**

**REGULAR MEETING**

The Beach City Council met for a Regular Meeting Tuesday, January 15<sup>th</sup>, 2008 at the Beach City Community Building. Those present were:

**MAYOR:** Guido Persiani

**MAYOR PRO TEM:** Rita Standridge

**ALDERMAN:** Ray Smith

Tommy Clayton

Douglas Walker

Vaughn Bercaw

**CITY ATTORNEY:** Daniel Jackson – Absent

**CITY SECRETARY:** Margaret Gainer

Mayor Persiani called the meeting to order at 7:11 P.M. Tuesday, January 15<sup>th</sup>, 2008. Mayor Persiani welcomed the attendants and wished them a happy New Year. Nine citizens signed the Citizen Sign-up sheet.

**I. Review and consider approval of the Regular Meeting minutes of November 27<sup>th</sup>, 2007 and December 18<sup>th</sup>, 2007.**

Council reviewed the Minutes prior to the meeting.

**MOTION** made for the approval of the Minutes of November 27<sup>th</sup>, 2007 and December 18<sup>th</sup>, 2007.

**MOTION:** Standridge

**SECONDED:** Walker

**APPROVED:** 5 - 0

**II. Review and consider approval of the Statement of Revenues and Expenditures for 6 months ending December 31<sup>st</sup>, 2007.**

Council reviewed the Statement of Revenues and Expenditures for December 31<sup>st</sup>, 2007 prior to the meeting.

**MOTION** made to accept the Statement of Revenues and Expenditures for 6 months ending December 31<sup>st</sup>, 2007. (Agenda stated 4 months)

**MOTION:** Walker

**SECONDED:** Clayton

**Show of Hands:**

**APPROVED:** 5 - 0

Mayor Persiani stated that the interest rate at TexPool as of December 14<sup>th</sup> is 4.4452%. The General Fund Balance is \$554,255.38.

**III. Review and authorize payment of the proposed expenditures and investments.**

The proposed expenditures were reviewed by Council prior to the meeting.

The City Secretary said the only change is check #1289, West Chambers County Chamber of Commerce Banquet Tickets changed to West Chambers County Chamber of Commerce Membership dues.

**MOTION** made to accept the Expenditure Authorization as amended.

**MOTION:** Bercaw

**SECONDED:** Walker

**Show of Hands:**

**APPROVED:** 5 - 0

The Expenditure Authorization approved by Council on January 15<sup>th</sup>, 2008 attached hereto and made a part of these minutes.

**IV. Tabled - Review and act upon request for abandonment and sale of Morrison Street Right-of-Way.**

Mayor Guido asked for a motion to take this item off the table for discussion.  
No motion made.

**V. Review and act upon Re-plat of Houston Oaks Subdivision**

Mr. Alex Van Duzer was present representing Houston Oaks Subdivision. He brought plats for Council to review. This was a modification to plat of Lots 31 & 32 on the Bay to create a restricted reserve for private recreation and common area. County Engineer Don Brandon has reviewed this and has no objections, it complies with the Beach City Subdivision Regulations.

MOTION made to accept the re-plat as stated; to create restricted reserve 'F' for private recreation and common area. A subdivision containing 75.35.2 acres out of the John Ijams League. A-15 Chambers County, Texas.

MOTION: Smith

SECONDED: Standridge

Show of Hands:

APPROVED: 5 - 0

**VI. Review and act upon request to restrict discharging of firearms within the City Limits and ETJ of Beach City.**

Mr. Warren Lisenbee was present to make this request. He stated that the matter is about discharging fire arms; and another matter of hunting in the city of Beach City. He contacted Commissioner Bill Wallace to find out if he possibly knew if gun regulation changes could occur. He introduced Commissioner Wallace to speak to Council. Commissioner Wallace said he has talked to Mr. Lisenbee about three or four years about this. He said he has witnessed that there is a duck hunting lodge behind his house and has witnessed pellet marks in new roof. He went on to say that Baytown has an ordinance that says you can't discharge within so many feet of the City Limits, Mont Belvieu also has the same ordinance. The County uses the State law only until they reach the population cap. He went on to say if there is some way to alleviate this problem he will testify for him at his trial. Mayor Persiani said if an ordinance is in place that outlaws discharge of weapons within the City limits and its ETJ he presumes you can choose the distance. How do you enforce it? Commissioner Wallace said he knows we have a Constable here in this precinct but he don't know if he can enforce a City Ordinance. Can the Game Warden? Alderman Standridge asked if she wanted to build a duck stand in that area, who would she contact? Commissioner Wallace said Reliant Energy. She asked if Mr. Lisenbee had followed that trail. Mr. Lisenbee said he has and it happens that this particular 140 acres is privately owned and is leased out. Commissioner Wallace said he would talk to the Sheriff and see if there is any thing that he can do. Mayor Persiani said this subject came up last year and the consensus of the Council was they did not want to put any kind of restriction that limits the discharge of weapons within Beach City.

No motion made

Further comments from Council; Alderman Smith said property damage is a real concern, and something needs to be done. He feels however that it is a right and a privilege in Beach City. He thinks a majority of the people, based on the people that he lives near, want to be able to shoot their guns. Alderman Standridge said they have a subdivision

regulation that does not allow them to shoot out over the water. Mayor Persiani the Game Warden said you can shoot skeet out over the water but he didn't check the rifle part. *Mayor Bercaw stated that rather than Realist fire arms, Review and act upon reimbursement of WCCCC awards banquet ticket costs for City Council members and guests.*

**VII.**

Mayor Persiani said he had already reserved a table, for eight, for the banquet for the City. Council needs to decide what there wishes are and he needs to notify the Chamber tomorrow of the number of seats compensated by the City. The City will pay for the receipiants Pat and Cheryl McDonald.

MOTION made to reserve and pay for a table for 8 people for the Chambers County Banquet .

MOTION: Standridge    SECONDED: Bercaw    Show of hands:  
APPROVED: Standridge Bercaw, Clayton, Smith ABSTAINED: Walker

**VIII. Environmental Services and Nuisance Mitigation**

- A. Review open items on the Environmental Complaints Log.**  
The Jordan Complaint has been completed. A working system has been Installed by Eagle Rental. The Troxell needs to be pursued and is still open. There has been no other complaints but this complaint has to stay open for Further investigation.
- B. Review TCEQ Audit Dated November 28<sup>th</sup>, 2007 and follow-up visit January 15<sup>th</sup>, 2008.**  
Mayor Persiani stated that he, Mayor Pro Tem Standridge, and the City Secretary had a follow up visit with Bryan Eastham and Donna Branch from TCEQ today. All of the Audit items were reviewed and we have a follow up Action for each one of them. What will require City Council action is to look at the OSSF Ordinance as well as the Subdivision Regulations. There is a particular paragraph where we have to put in the regulations that clearly defines that the Designated Representative of TCEQ must look at the plat for several different item that have to be provided for that review.
- C. Review and act upon Environmental Service Agreement and associated request for proposal.**  
The Mayor said he took the two agreements that we had and put them back together and sent them to Attorney Jackson for review. He had nothing to present to Council tonight.

**IX. Review and act upon proposal to establish a Volunteer Council.**

Mayor Persiani did not have any thing formal to present to Council but he wants input from Council on this subject. Different subjects come up that the volunteer gourp might be willing to get energized over, as recycling. He sent in the card to Gov. Rick Perry asking about fitness. Beach City will be that fitness community , we need some information.

**X. Executive Session Authorized by Chapter 551, Texas Government code, Section 551.071, concerning Personnel Issues regarding City Secretary Personnel.**

Council recessed for Executive Session at 8:55 P.M. Tuesday January 15<sup>th</sup>, 2008.

**XI. Consider action regarding Compensation changes for City Secretary Personnel.**

Reconvened at 9:04 P.M. Tuesday January 15<sup>th</sup>, 2008.

MOTION made to Increase the City Secretary's salary 4% to \$13.00 and the Temporary Secretary salary 4% to \$9.72 retro-active to September 1<sup>st</sup>, 2007.

MOTION: Walker

SECONDED: Smith

Show of Hands

APPROVED: 5 - 0

**XII. Council members' comments, citizens' comments and input.**

1. Mr. Will Dyre was present, he introduced his wife, Carrie. He stated that they are still interested in purchasing the right-a-way on Morrison Drive. His question to Council was what they plan to do about the road maintenance and some type of security for a boat ramp if there is one put in. Mayor Guido said that Council could not respond but if Mr. Dyre could call the Mayor if he wanted to formulate a specific proposal for a future agenda. Mayor Guido said Council could ask a question if they did not understand what the comment was about.

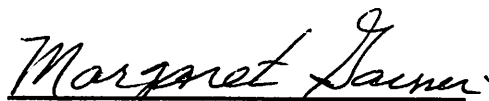
2. Tracy Lippe, President of the BCVFD was present and reported that he is the President of the North Point Home Owners Association. He stated that they had a discussion at the Home Owners meeting regarding the Morrison situation and their subdivision is looking for a closer boat ramp and hope the City would consider that as an option. He went on to report on the Fire Department. He reported on the new ISO Rating that went from a 9 to an 8b within five miles of the fire station. It will go into affect in about two months. Commissioner Wallace was present and said that the upgrading is going on all over the County. Rusty Senac, Board Chairman for the BCVFD stated that he was really proud of the fireman for what they had done and hopefully this is just the first step.

3. Commissioner Wallace announced that the 150<sup>th</sup> year celebration would be Saturday, March 29<sup>th</sup>, 2008 at the Old Anahauc Park in downtown Anahauc. They are planning all kinds of things. He also stated that the Navigation District has bought a site over here for a water plant on Needle Point road. The deal has been cut. Mayor Persiani said they would be producing potable water and selling to the current companies that distribute the water now. Mayor Persiani asked Commissioner Wallace for an update on the EMS Building. He stated that the plans are drawn and approved and are out for bids. The cost is \$380,000.00

**XIII. Adjourn**

Mayor Persiani adjourned the meeting at 9:34 P.M. Tuesday January 15<sup>th</sup>, 2008.

ATTEST TO



Margaret Gainer  
City Secretary

APPROVED:



Guido Persiani  
Mayor