

STATE OF TEXAS
COUNTY OF CHAMBERS

City of Beach City Regular Called City Council Meeting Minutes

The City Council of the City of Beach City, Texas
met in a Regular Session on **August 22, 2017** at the
Beach City Community Building 12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Pro Tem Jackey Lasater (presiding), Alderman Ray Smith,
Alderman Paul Newman and Alderman Doug Walker

Members Absent: Alderman Dana Colquitt and Mayor Billy Combs

Staff Present: City Secretary Evonne Donnelly and Assistant Secretary Marge Bercaw

Legal Counsel Present: City Attorney Daniel Jackson

1. Call to order and announcement of quorum

On Tuesday August 22, 2017 Mayor Pro Tem Lasater called the meeting to order at 6:03 P.M.

2. Invocation and Pledge of Allegiance

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

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

None

4. Hear report and update from Chambers County Commissioner, Rusty Senac

No report

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

Chief Pat McDonald presented Council with the BCVFD approved budget for FY (Fiscal Year) 2017-18.

Alderman Smith questioned why the FY 2017-18 budget (\$103,200) is less than half of the FY 2016-17 budget (\$218,950) and there is a new fire truck to pay for. Chief McDonald stated that this money was for a down payment for the new truck and now they are back to a more normal budget. Alderman Smith asked where the \$100,000 showing on the worksheet came from last FY. Chief McDonald replied, this was money that the BCVFD had in their checking account. Alderman Smith praised him for the good money management. BCVFD Treasurer Clayton Graves noted that the recent fundraisers have helped out quite a

bit; in addition to the City's contract money. The Barrow Ranch Poker Run held at McCollum Park last month, raised \$16,000 for the BCVFD.

All the local area fire departments belong to the Chambers County Fire & Rescue Association. Last month, some of the members went to Commissioners Court and asked for an increase to the County funding. An increase of \$20,000 would help pay for gear, hose, etc. The fire departments will have to show progress towards getting their gear, etc. and meet other necessary requirements. So, there is hope that the County will grant this funding request.

The first payment for the new fire engine has been made.

There is an old cable line dipping down by the pond on McCollum Park Road, preventing the VFD from entering into this area. Chief McDonald met with XFinity and it is not their cable line. The guys will meet soon and take the line down.

6. Approval of Minutes for Regular Meeting of July 25th, 2017

Motion to approve the minutes

Motion: Newman

Second: Walker

Approved: 4-0

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 Statements for previous month

(b) Review and approve Investment Update

(c) Review and approve Expenditures for the current month

(d) Discussion and possible action on Capital Bank CD #638 maturing August 30, 2017

Updated Expenditures are before Council.

Last FY (ending June 30, 2017) Council approved an audit to take place this FY (beginning July 1, 2017) and funds in the amount of \$10,000 were set aside for this audit. A check for the audit was written from the City's General Fund (checking account) on June 27th and deposited back into the general fund account on July 5th. When Secretary Donnelly credited the deposit in QuickBooks she credited it to Item 2500, the Accounting/Audit Fee expense account. On the Profit & Loss Report it shows there is a negative deposit of -\$10,000 and a negative balance of -\$8,000. The Accounting/Audit Fee account will be corrected to show the deposit in the Miscellaneous account, therefore, eliminating the negative balance issue in Item 2500.

There is a Capital Bank CD maturing on August 30th worth approximately \$110,000. Secretary Donnelly has provided interest rate terms from Capital Bank and a few other banking entities. Alderman Smith noted that there have been a few times that Council has discussed the difference from going long term at a higher interest rate and the ability to withdraw early for a nominal penalty fee. Smith is favor for going for the higher interest rate, no matter the term. Mayor Pro Tem Lasater added that Mayor Combs would like to have the CD's staggered, as opposed to all maturing so close together. Also, the City has enough in the general fund to add \$20,000 to this CD to create a \$130,000 CD. There was a question if the other banking entities are FDIC approved. Secretary Donnelly reminded Council that Capital Bank took out extra insurance to hold the City's CD's/monies over \$250,000.

Alderman Walker would support going with a higher interest rate for a longer term if the City has the discipline to do what Alderman Smith suggests; pull out the money and reinvest. However, Alderman Walker does not feel this is the case and that Council does not have the discipline to do this repeatedly. Alderman Smith responded that if the interest rates grew a bunch, we would review all of these CD's and their early withdrawal penalties and reinvest in higher interest rates. When it's only a tenth of a percent a month or so, that makes the difference. Alderman Walker feels that we are getting nickel and dimed, in terms of interest rates, because they are creeping up every few months; until the economy gets to a place where the rates take off. Walker votes for the 1.4% interest rate for twelve months and if that is not doable, then the take the 1.5% interest rate for eighteen months.

Motion to approve the financials

Motion: Newman

Second: Smith

Approved: 4-0

Discussion: Alderman Walker questioned why Item 3100 Membership Dues is already at 60% of our budget. Secretary Donnelly added that the TML dues were just paid and this is a timing issue for membership dues.

8. Consider and adopt ordinance approving the expansion of powers for the Beach City Water Control and Improvement District (BC WC&ID) to include providing sanitary sewer/wastewater and drainage service

Council was asked to approve this expansion of powers for the WC&ID since the original ordinance does not include wastewater and drainage.

Motion to approve

Motion: Walker

Second: Newman

Approved: 4-0

9. Consider and adopt an Ordinance establishing City wide speed limits throughout Beach City

Mayor Pro Tem Lasater noted that if the City has a speed limit ordinance in place it gives strength to enforcing the speed limits on City streets.

Alderman Walker does not feel that putting an ordinance in place which we are not able to enforce is prudent. He has not heard of any issues regarding speed limits on City roads and this seems to be more bureaucracy than we need. Alderman Walker feels this should wait until Mayor Combs and Alderman Colquitt return to discuss this matter. Alderman Smith concurred with Alderman Walker.

Motion to table Item 9 - Consider and adopt an Ordinance establishing City wide speed limits throughout Beach City

Motion: Newman

Second: Walker

Approved: 4-0

10. Consider and adopt an Ordinance lowering the speed limit on McCollum Park Road from the intersection of FM 2354 to the intersection of Bay Wind Court to 35 mph (miles per hour)

Mayor Combs wants Council to consider this Item, if they did not pass Item 9 above.

Motion to table this item and review the minutes from July's meeting, bring back to next month's meeting

Motion: Smith

Second: Newman

Approved: 4-0

Discussion: Alderman Newman asked Secretary Donnelly if she will review the minutes from last month's meeting, regarding this item. Secretary Donnelly will review the audio minutes, per request.

11. Discussion and possible action on an Ordinance regulating Billboards within Beach City

Mayor Pro Tem Lasater asked if everyone has read this ordinance. Council reviewed the ordinance and Alderman Walker was thrown by the term "off-premises". Alderman Newman referred to Section 3 of this ordinance. Attorney Jackson explained the basic definition of the "off-premises" meaning: *If you have a sign located off the property of the sign's owner, this would be an off-premises sign.* EXAMPLE: If Attorney Jackson owns a store and he puts a sign on his premises, about his store, this is an on-premises sign. Any sign he puts up elsewhere about his store, not on his property, is an off-premises sign.

Alderman Walker asked if the verbiage could be changed and shortened. Attorney Jackson noted that this is the verbiage from the Texas Transportation code, the State's own statute. Attorney Jackson added that he could add "As Amended". There was a lengthy discussion among Council. Alderman Smith concurred with Alderman Walker that he would like a snapshot of the definition to be added.

Attorney Jackson will make the discussed revisions.

Motion to approve the billboard sign ordinance with the addition of, the definition of, all kind of signs as discussed, adding in the four lines mentioned and the elimination of Section 9.

Motion: Walker

Second: Smith

Approved: 4-0

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

None

13. Report and update from the Mayor

a). The City sent a beautiful spray to Margaret Gainer's funeral. A donation can be made to the Lion's Club or Fisher Road Church. The fire truck named after Margaret many years ago, was at the funeral home, courtesy of the BCVFD.

b). Start, Garcia & Stanley (SGS) is handling the audit for the City. Today, Secretary Donnelly received an invoice for an additional payment of \$2,000.00. A call was made to SGS asking if this payment can be sent out after the September Council meeting since the checks have been cut. SGS is fine with two payments being made in Sept.

c). TxDOT has completed their road warrant study on FM 2354 north to FM 3180 and the study warrants a continuous turn lane from Fisher Rd. north to FM 3180. More information on this to come.

d). Due to an incident on Lennie Lane where an adult was shooting a gun at a kids birthday party; Sheriff Hawthorne has requested Mayor Combs and Council adopt an ordinance banning firearms in the City limits. Secretary Donnelly has spoken with TML requesting information on discharging firearms within the City, something other than a total ban.

e). There are four applications for the three Alderman positions.

14. Council Comments

Alderman Smith complimented the Mayor Pro Tem for a job well done, great prayer and good meeting.

15. Adjourn

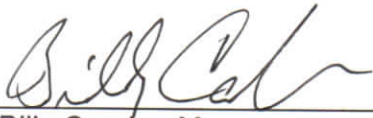
Motion to adjourn at 7:30 P.M.

Motion: Newman

Second: Smith

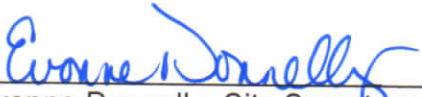
Approved: 4-0

Minutes Approved on October 24, 2017



Billy Combs, Mayor

Attest:



Evonne Donnelly, City Secretary