

STATE OF TEXAS
COUNTY OF CHAMBERS

City of Beach City Regular Called City Council Meeting & Public Hearing Minutes

The City Council of the City of Beach City, Texas
met in a Regular Session on **June 27, 2017** at the
Beach City Community Building 12723 FM 2354 Beach City, TX. 77523

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

Staff Present: City Secretary Evonne Donnelly

Legal Counsel Present: City Attorney Daniel Jackson

1. Call to order and announcement of quorum

On Tuesday June 27th, 2017 Mayor Combs announced that enough members are present
for a quorum and called the meeting to order at 6:09 P.M.

2. Invocation and Pledge of Allegiance

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

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

A resident asked Council if there are any projects planned in front of her property on FM
2354. There has been a stake at the ditch area for a week or more.
Mayor Combs stated Trans Global Services (TGS) maybe doing some work in this area of
FM 2354; he will check with TGS to be certain.

4. Public Hearing for Citizens Comments concerning FY 2017-2018 Budget

Regular Meeting Suspended at 6:30 P.M. for Public Hearing.

Public Hearing Commenced at 6:30 P.M. with no citizens comments.

Public Hearing Closed at 6:30 P.M.

**5. Consider and approve funding an additional \$5,000 to the Beach City Volunteer Fire
Department (BCVFD) for FY 2016-2017 for services under the Service Provider
Agreement**

Motion to approve

Motion: Lasater

Second: Colquitt

Approved: 5-0

Discussion: Alderman Newman asked if this money is surplus from the current FY 2016-17 budget. Mayor Combs stated that it is unspent money from the FY 2016-17 budget; which is roughly one-third of the unspent money.

6. Review and approve the City Budget for FY 2017-2018

Motion to accept the budget

Motion: Walker

Second: Colquitt

Approved: 5-0

Discussion: Mayor Combs explained to everyone that the proposed budget for FY 2017-18 shows a proposed income of \$138,375. This is up \$13,226 over FY 2016-17.

Total anticipated Expenditures are \$138,375 which is up \$13,226 over FY 2016-17. Total fund balance is \$0. Therefore, a balanced budget for FY 2017-18 is anticipated.

This budget allows for a 3% rate increase for the two City employees and \$40,000 for the BCVFD.

Alderman Newman asked if the income includes any monies allotted for the Beach City Cultural Education Facilities Finance Corporation (BC CEFFC). Mayor Combs replied, no we decided not to budget for this since there is no guarantee of if and when we will receive these funds.

Also, last month Council approved for the City to engage an Auditor for an audit to be conducted in FY 2017-18. The City will write a check to itself for \$10,000 from the FY 2016-17 budget. This \$10,000 check will then be deposited back into the general fund account, for FY 2017-18 and used to pay for the upcoming audit. It's a matter of simply moving the money out of the budget year ending and into the upcoming budget year. It looks like the City will close this FY 2016-17 with a fund balance of approximately \$11,000.

7. Consider and approve Service Provider Agreement with the BCVFD for FY 2017-2018

The only changes to this agreement, from the previous years, are the dates.

Motion to approve the service provider agreement with the Beach City Volunteer Fire Department for FY 2017-18, for the budgeted amount of \$40,000.

Motion: Smith

Second: Walker

Approved: 5-0

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

Alderman Walker asked Commissioner Senac if the land clearing on Fisher Road, in the section curving around to TX 99, is going to be an entrance for TGS (Trans Global Services). The Commissioner said, it is his understanding this will be a main entrance for Cedar Port, owned by TGS, and they will also make this a four-lane connector between Fisher Road and TX 99.

Cedar Port (aka to Chambers County as Improvement District No. 1 & Cedar Point) consists of approximately eleven-thousand acres that is surrounded by FM 2354, TX. 99, SH 146 and FM 1405.

9. Hear report and update from the BCVFD

Fire Chief Pat McDonald has submitted the interlocal agreement to TGS and has not heard back from them yet.

The BCVFD has a couple of perspective members.

The BCVFD FY is June 30th-July 1st. Mayor Combs requested that Chief McDonald bring Council a copy of their FY 2017-18 budget.

10. Approval of Minutes for Regular Meeting of May 23rd, 2017

Motion to approve

Motion: Walker

Second: Lasater

Approved: 5-0

11. Approval of Minutes for Special Called Meeting of June 15th, 2017

Motion to approve

Motion: Colquitt

Second: Walker

Approved: 5-0

12. 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

Motion to approve the finances

Motion: Walker

Second: Newman

Approved: 5-0

Discussion: Mayor Combs noted that the Expenditures on the table are different than what was sent to Council prior to the meeting.

13. Annual review and possible update of the City's Investment Policy for FY 2017-2018

The recommended changes to this year's Investment Policy include:

Page 1 Investment Strategy: **remove wording**, "interest-bearing".

Page 1 Investment Policy: **remove wording**, "these funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR)." Add; *'which includes these funds, but is not limited to:'*

Page 3 Investment Officer and Treasurer: **remove wording**, "containing at least ten hours of instruction" and add, *'the investment officer and/or treasurer shall attend at least one training session from an independent source approved by City Council and the Public Funds Investment Act (PFIA)'*. **Remove wording**, "upon completion of training, the Investment Officer or treasurer must provide Council with a certificate evidencing the training received."

Page 4 Reporting-Quarterly Reporting: **remove last sentence**, "Included in the report should be a comparison of the rate of return for the portfolio versus the rate of return of the 90-day U.S. Treasury Bill".

NOTE: The City's policy states that amendments are made via a Resolution

Motion to approve Resolution amending as previously noted

Motion: Newman

Second: Smith

Approved: 5-0

14. Discussion and possible action on requesting Chambers County to reduce the speed limit on McCollum Park Road to 35 mph, as recommended in the Chambers County Speed Limit Warrant Study

Chambers County recently conducted a speed limit study on McCollum Park Road and recommended the speed limit be reduced from its current 45 miles per hour (mph) to 35 mph.

Mayor Combs is one hundred percent in favor of recommending a speed limit reduction on McCollum Park Road to Chambers County Commissioners Court.

It is understood that Chambers County must hold a public hearing and then vote on lowering the speed limit. Alderman Walker questioned why Chambers County should do this since it is a City road. Mayor Combs asked the County attorney his thoughts and he never replied with his opinion.

It is the opinion of our esteemed City Attorney Daniel Jackson, since the County maintains the road they should set the speed limit on the road.

The speed limit at/in front of McCollum Park is lower than the rest of the street at approximately 30 mph.

Mayor Combs noted that there are many issues with vehicles speeding on McCollum Park Road. The new subdivision -Thunder Bay Estates- is going in behind Barrow Ranch and this will add more than fifty additional vehicles to McCollum Park Road; which is already a highly traveled road.

Motion to authorize the Mayor to write a letter to Chambers County Commissioners Court to request lowering the speed limit on McCollum Park Road on the section that is currently 45 mph to 35 mph.

Motion: Newman

Second: Walker

Approved: 5-0

Discussion: Commissioner Senac added that it is important to notify the residents of that area the intentions to change the speed limit. Mayor Combs will send out an email blast to all residents that are in his database.

15. Discuss and consider either a). adopting a mailbox ordinance or b). enforcement of Chambers County's mailbox policy throughout the City

A concerned citizen recently spoke to the Mayor about the proximity of the masonry mailboxes to McCollum Park Road. Mayor Combs presented Council with pictures of these mailboxes showing how close their location is to the street.

There are approximately twenty-four masonry mailboxes, and approximately one dozen non-masonry mailboxes. There are approximately eight masonry mailboxes that sit closer to the road than the allotted three-foot back policy the County has in place.

Currently, Beach City does not have a policy or ordinance regarding mailboxes. However, Chambers County does have a mailbox policy. *See attached policy with approved minutes.

A lengthy discussion was held regarding Chambers County's ability to enforce this policy. Does Beach City need to adopt their own policy? Does the City have the leverage to have the residents move their mailboxes back from the road? In the future should the City add a stipulation to the subdivision ordinance that mailbox clusters are required? A concerned citizen offered to fund two mailbox clusters on McCollum Park Road, in order to alleviate the individual mailboxes sitting just off the road. Most of these mailboxes are sitting in a Right-of-Way (ROW).

Council would like for the Mayor to work with Commissioner Senac and draft a letter to the residents and possibly visit with the residents involved in this matter.

Commissioner Senac questioned if it is the City's feeling that the roads belong to the City and the ROW's belong to the County. Mayor Combs' understanding is that when the City incorporated the ROW's became the property of Beach City. Attorney Jackson's opinion is, since the County maintains our ROW's, then the County has the jurisdiction to imply their policy on said ROW's; as it pertains to maintaining and operating these ROW's.

16. Discuss and consider approving the City Management Structure Policy & Procedure (P&P)

This policy was reviewed in July 2016 but not approved. Mayor Combs believes that Beach City is a 'Type A' City and not a 'Type B' City. However, the original incorporation papers have been located and they state the City is a 'Type B' General Law City.

There is one change to be made to this document since its original conception last summer. Under "Terms of Elected Officers", the wording *even numbered years* and *odd numbered years* has been added.

Motion to approve

Motion: Walker

Second: Colquitt

Approved: 5-0

17. Discuss and approve the sale of the Beach City Wilma Lane extension in Walker Parkview Subdivision to Warren and Opal Lisenbee, subject to:

- a). buyer paying full appraised value of the property and all closing cost including the survey and appraisal
- b). buyer granting a 20' wide drainage easement (10' either side of the existing drainage culvert) to the City
- c). review of the City's appraisal conducted this month

At the May 23rd meeting, Alderman Walker felt that the appraiser, James Starett, hired by Mr. Lisenbee had undervalued this property with his appraisal of \$1,300.00. Council agreed by a majority vote of 2-1 to hire an appraiser at the City's cost.

The City's appraiser, Chet Theiss, did not have the written appraisal completed in time for this meeting but, he did send the Mayor an appraised value of \$10,000. Mr. Theiss stated that the comps he gathered for this property are all water front property located on the west side of Trinity Bay. The comps used in Mr. Starett's appraisal are all located the east side of Trinity Bay.

Mayor Combs is a licensed Commercial Real Estate Broker. While the Mayor does not sell residential property, he feels that his broker price opinion would fall somewhere in the \$5,000 range.

Alderman Walker stated that while he cannot get comfortable selling this property for \$1,300, he may be more comfortable with an average of the two appraised values.

Council agreed to wait to review this matter at the next meeting, when they have had time to review the completed appraisal.

18. Set date for a meeting of the citizen's committee, evaluating the need of a Sales & Use Tax for Beach City

Secretary Donnelly will see what dates are available in July for a meeting.

Mayor Combs noted that he has a request from another resident to join the committee.

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

A lengthy discussion ensued on how to enforce this ordinance: permitting for this ordinance; should you simply state what's not allowed, or state what is allowed in the ordinance; how to make this ordinance self-sustaining; does the City really want to regulate all signs or just on premises signs; will all signs need a permit; is this ordinance before Council the final draft. Attorney Jackson will add a permitting mechanism to this and bring back to Council next month.

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

None

21. Report and update from the Mayor

- (a). CenterPoint Gas has increased their base monthly charge
- (b). Local Baytown accounting firm, Start, Garcia & Stanley will conduct the City's audit in July. Price not to exceed \$7,500.00
- (c). Mayor Combs & Commissioner Senac have been speaking to Comcast. Comcast wants the City to revisit the business folks again to garner more support for internet here in the City. A meeting will be held on Thursday to see if they will bring internet services here to our area.
- (d). Applications for a place on the ballot begin July 22, 2017

22. Council Comments

Alderman Newman asked about the time frame of the resurfacing project on Lawrence Road.

23. Adjourn

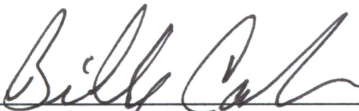
Motion to adjourn at 8:46 P.M.

Motion: Colquitt

Second: Newman

Approved: 5-0

Minutes Approved on June 27, 2017



Billy Combs, Mayor

Attest.



Evonne Donnelly, City Secretary

MAIL BOX POLICY

A mailbox installation that conforms to the following criteria will be considered acceptable unless in the judgment of the Chambers County Commissioners Court, the installation interferes with the safety of the traveling public or the function, maintenance or operation of the County roadway system.

- For roadways having a Speed Limit greater than 40 MPH, the face of the mailbox must be set back a minimum of 3 feet from the edge of the pavement and must be mounted on a break-a-way post conforming to the standards adopted by the Texas Department of Transportation (TxDOT).

- For roadways without curbs and having a Speed Limit of 40 MPH or less, the face of the mailbox must be set back a minimum of 3 feet from the edge of the pavement.

- For roadways with curbs and having a Speed Limit of 40 MPH or less, the face of the mailbox must be set back a minimum of 6 inches from the back of curb.



Chambers County Engineer's Office

Donald T. Brandon, P.E. – County Engineer

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