

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 Called Session** on **April 27, 2021** at the Beach City Community Building, 12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Ryan Dagley, Alderman Paul Newman, Alderman Doug Walker, Alderman Ken Pantin and Mayor Pro Tem Dana Colquitt

Members arriving Late: Alderman Ray Smith arrived at 7:10 P.M.

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, April 27, 2021 Mayor Dagley called the Regular Called Council meeting to order at 6:06 P.M.

2. Invocation and Pledge of Allegiance

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

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

No comments

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

Commissioners Court will build a Westside Complex on the corner of Gouhole Road and FM 565 south. This multimillion dollar complex will replace the McLeod Park Community Building and the boxsite/collection site on Eagle Drive will be moved to this new location. There will also be eight new ballfields added to this site and two soccer fields. Enterprise Products is purchasing the McLeod Park property from Chambers County for \$9.5 million dollars.

Fort Anahuac Park will have a new Visitor's Center and library.

The aforementioned improvements are apart of a \$49 million dollar bond to be voted on by the tax paying citizens of Chambers County.

Old Needle Point Road will be renamed to Chambers Parkway.

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

Brian Singleton was recently recognized at the local area chamber luncheon as one of the Public Servants of the Year.

There are approximately 20 volunteers currently on the roster.

6. Approve Minutes for Regular Called Meeting of March 23rd, 2021

Motion to approve minutes of the Regular Called Meeting of March 23, 2021

Motion: Newman

Second: Colquitt

Approved: 4-0

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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 financials

Motion: Walker

Second: Pantin

Approved: 4-0

Discussion: Alderman Walker questioned the amount of the Miscellaneous Income. Secretary Donnelly noted this amount includes the payment from Brice Fuselier for the City's Right-of-Way. Also, Secretary Donnelly had anticipated this question and a printout has been provided for Alderman Walker's review.

8. **Update and discussion on CenterPoint Energy's FY 2021-2022 Franchise Fee Payment Calculation**

The FY 2021-2022 calculation will increase by \$1,637.40 and the total annual Franchise Fee amount will be \$95,801.28. The total monthly direct deposit will increase to \$7,983.44.

Alderman Walker noted it seems like the payments should be higher. Maybe the lack of electrical usage, due to modern energy alternative sources, could be to blame?

9. **Discussion and possible action regarding Capital Bank CD #484 that matures April 24th, 2021**

Capital Bank CD #484 matured on Saturday with a current value of \$199,255.27. CD rates are still low. Capital Bank quoted Mayor Dagley a rate that will match the most recent CD rate of .60%, for twelve months.

Motion to approve

Motion: Walker

Second: Newman

Approved:

Discussion: Mayor Dagley noted the new Money Market account has a floating rate that has dropped from .25% to .15%. Money needs to be moved from the General Fund account since it is well over the three month expenditures, per the Public Funds Investment Policy (PFIP).

Mayor Dagley recommends Council take \$50,000 from the Money Market Account and approximately \$80,000 from the General Fund and add to the \$199,255.27 matured CD funds. This will allow the City to open two CD's, each valued at approximately \$165,000. The two CD's will each have a twelve month term at .60%.

Motion amended to include the discussion items of two new CD's

Motion to amend: Walker

Second amended: Newman

Approved: 4-0

10. **Discussion and possible action to approve a Resolution for the new CD investment**

Motion to approve Resolution for the new CD investment

Motion: Newman

Second: Colquitt

Approved: 4-0

11. **Discussion and possible action to assist the BCVFD with the completed cost repairs in the amount of \$25,352 to Engine 81**

Chief McDonald presented to Council the costs associated with the repairs for Engine 81, also know as Margaret. This engine is approximately fifteen years old. There were multiple issues requiring

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immediate repair. There are future repairs to the water tank that will need to be addressed as well. The water tank issue will add an additional \$6,500 to the current \$25,352 bill.

Motion for \$15,000 Pat's asking for

Motion: Walker

Second: Newman

Approved: 4-0

Discussion: Alderman Newman added that if the BCVFD has more expenses to come back to Council. Mayor Dagley and Secretary Donnelly discussed cutting the BCVFD check during the upcoming Executive Session, for immediate disbursement.

12. Discuss and consider setting a date for FY 2021-2022 Budget Workshop to be held in May or June

Council discussed June 1st at 6:00 P.M. for the Budget Workshop/Special Called Meeting with June 3rd as the backup date.

13. EXECUTIVE SESSION: City Council will hold a closed executive meeting pursuant to the provision of Chapter 551, Texas Government Code. *Items for executive session may include, but are not limited to, applicable sections under Texas Government Code*

- a). Consultation with attorney – Section 551.071
- b). Deliberation regarding Real Property – Section 551.072

Adjourn Regular Called Meeting at 6:58 P.M. for Executive Session

Reconvene Regular Called Meeting at 7:58 P.M.

14. Discussion and possible action regarding ongoing issues with the City's roadway easements

Mayor Dagley reviewed with Council the property owners in Walker Parkview Subdivision that have fences on the City's Right-of-Way (ROW). One property owner, Jerry Davila, put a gate across the City's ROW and when he spoke with Council recently, he was told to remove the gate. Property owners cannot block that access to the City's property. Mr. Davila told Mayor Dagley that there are other property owners that also have a gate across the City's property. Therefore, why can he not have a gate up as well. Mayor Dagley wants Council to be aware there are fences impeding the City's ROW's. Mayor Dagley asked Council if there is any discussion or possible action on how they want to handle these issues.

Motion to send certified letters to the property owners that have gates over the two Rights-of-Way in the Walker Subdivision asking them to remove those gates to open up the Rights-of-Way and if there are any other impediments in that ROW, such as maybe a small boat, that the boat gets removed from the ROW and we will give them thirty days from the time they receive the letter to perform those actions.

Motion: Newman

Second: Walker

Approved: 5-0

Discussion: Mayor Dagley noted that based on the landowner map, there are four homeowners that should get a letter from the City:

1. Warren Lisenbee 2. El Tejano/Jerry Davilla 3. Johnathan West 4. Matthews Family LTD / Guy Matthews. Mayor Dagley also stated that Matthews, Davilla and West all have properties in a corner and the ownership of the wrought iron fence is in question.

Mayor Pro Tem Colquitt questioned the cones blocking the City's property on Morrison Drive. Mayor Dagley stated that the cones are no longer there, but the bird house is and it is on a one inch pipe that can be easily removed.

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15. Discussion and possible action to hire a company, such as Suncoast Land Services Inc., to conduct Easement Research in order to locate and map all City Rights-of-Way

Jason Myers of Suncoast Land Services emailed Secretary Donnelly regarding researching the City's property interests. There is a lot of title research that will need to be done at the County Courthouse. Secretary Donnelly read aloud an email from Mr. Myers which spoke of the process and how his initial assessment into the County records was very unclear in regard to the City's property.

Mayor Dagley spoke of an app he has that will tell him where County or City owned properties are located. However, it does not help with easements that are not roadway easements, such as coastal easements, etc.

Alderman Smith recommends Council do nothing and if we have any need for this stuff, we do it on a case by case basis.

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

No report

17. Report and update from the Mayor

A week ago, the State Comptroller's office called Secretary Donnelly to confirm a Beach City address for Sales & Use Tax allotment. Apparently, if there is not a Jurisdiction Code listed on the property owner's / business owner's Appraisal District information that shows this property is located in Beach City, then the sales tax allotment will go to Baytown. The City is fortunate that the representative called to inquire about this address. Mayor Dagley spoke with Chambers County Appraisal District Chief Appraiser Mitch McCullough and requested he assign a Jurisdiction Code for the City of Beach City. This will prevent any future errors in the Comptroller's office in this instance. Chief Appraiser McCullough stated that the current boundaries information he has on hand shows the City boundary stops at Point Barrow Road. Secretary Donnelly sent over all incorporation documents to the Appraisers office to update his information.

Mayor Dagley wants to restart the City's Planning Committee for input on the City's future. There are eight individuals who the Mayor has selected for this 2021 Planning Committee:

- a). One resident from RWJ Subdivision
- b). two residents from Barrow Ranch
- c). Rusty Senac from Bay Place Subdivision
- d). one resident from North Point Subdivision
- e). Commissioner Combs and Alderman Smith from Cedar Gully Road
- f). one resident from Bayridge Subdivision.

The Pledge of Funds from Capital Bank goes up to \$370,000 of original face value.


18. Council Comments

Alderman Newman would like training for our Beach City residents to understand what the word STOP means.

19. Adjourn meeting at 8:27 P.M.

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Minutes Approved: May 25, 2021



Ryan Dagley, Mayor

ATTEST:


Evonne Donnelly, City Secretary

