

City of Beach City

COUNTY OF CHAMBERS
STATE OF TEXAS

City Council Regular Called Meeting

The City Council of the City of Beach City, Texas met in a **Regular Called Meeting** on **February 22, 2022** at the Beach City Community Building, 12723 FM 2354 Beach City, TX. 77523

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

Staff Present: City Secretary Evonne Donnelly and Assistant Secretary Eva McClintock

Legal Counsel Present: City Attorney Daniel Jackson

1. Call to order and announcement of quorum

On Tuesday, February 22, 2022 Mayor Dagley called the Regular Called Council Meeting to order at 6:16 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)

None

4. Recognize the 2021 Beach City Volunteer of the Year, Jackey Lasater

Mayor Dagley read aloud a heartfelt commemoration regarding Jackey's service on Council and as Mayor of Beach City.

Mayor Dagley presented former Mayor Lasater with the 2021 Volunteer of the Year award on behalf of Council.

Mayor Lasater thanked Council and stated that the time served on Council and as Mayor, was the favorite time of his life.

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

No Report

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

Chief McDonald stated that other than a few EMS calls things have been slow. The BCVFD recently had a dinner for all volunteer firefighters.

7. Approve Minutes for Regular Called Meeting of January 25th, 2022

Motion to approve minutes of the Regular Called Meeting of January 25th, 2022

Motion: Newman

Second: Smith

Approved: 5-0

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Discussion: Alderman Walker asked for a few minutes to review the minutes since they just arrived via email from Secretary Donnelly after 2:00 p.m. today.

8. **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

Motion: Colquitt

Second: Walker

Approved: 5-0

Discussion: Alderman Walker questioned the amount listed under Office Expense, Line Item 63120-Telephone, it shows a negative amount of -\$868.35. Secretary Donnelly believes that amount to be a franchise fee deposit that was incorrectly allocated in QuickBooks but will check on it Wednesday and send an email to Council.

9. **Discussion and possible action regarding the excess funds in the City's General Fund Account and/or the City's Money Market Account**

Mayor Dagley received a phone call from someone at Capital Bank stating the City has a large amount of money in the General Fund account. Mayor Dagley moved \$80,000 from the general fund to the City's Money Market account.

The Money Market account now has a balance of \$246,462.72.

Mayor Dagley asked Council to entertain the idea of opening a \$200,000 CD at this time. The twelve-month rate is .30%.

Council agreed with the Mayor, the City will move forward with a new CD. The amount and term are stated above.

10. **Discussion and possible action regarding the survey and appraisal for the City's easement(s) to be purchased by Charles Johansen**

The square footage of the Tract 1 easement is 25,949, Tract 2 easement is 12,149 and Tract 3 easement is 22,002. The three easement tracts are appraised for a total market value amount of \$60,200. This is well below the agreed minimum purchase amount of \$100,000 between Council and Mr. Johansen last October 2021.

Mayor Dagley stated that he is an appraiser and he has only briefly looked at this appraisal amount but not reviewed the appraisal itself. The Mayor spoke with the appraiser, David Ambrose of the Ambrose Group. The Brice Fuselier appraisal came in at \$6.00 a square foot. If you use this amount as a bell marker, the current three easements would be valued north of \$90,000. The same three comps were used in the Johansen appraisal as in the Fuselier appraisal with the exception of one new comp added to the Johansen appraisal.

Charles Johansen briefly addressed Council to say that he will abide by whatever decision Council makes about the value of these easements. He understands that at his last meeting with Council he agreed to a \$100,000 purchase price.

Alderman Smith asked what the motion was, what did Council agree to, what was the number last time this was on the agenda? Mayor Dagley noted that Council agreed to sell with a minimum of \$100,000. Council can deviate from the agreed to amount or stick with it.

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Alderman Pantin thinks by being fair with the appraised amount of \$60,000 and the agreed amount of \$100,000, Council could come together for a sale price of \$80,000.

Mayor Pro Tem Colquitt feels if you deviate from the previously agreed amount of \$100,000 there will not be a quorum to pass this sale.

Mayor Dagley said that appraisers allocate a discount rate for properties like this that have easements. Discount rates are very subjective. In the conversation with Mr. Ambrose, Mayor Dagley learned that a 75% discount rate was applied to this appraisal. If you drop that rate to 50% then you get to the \$90,000 appraised value.

Secretary Donnelly read aloud the Motion from the October 2021 Council meeting: Motion to sell the property for a minimum of \$100,000, subject to reserving the underground utility rights in the easements for surveys being procured and an appraisal.

Motion to sell the property for \$100,000 and as we agreed last time, Mr. Johnsen will have to pay for the appraisal of the property and we also retain the underground utility rights

Motion: Pantin **Second:** Colquitt **Approved:** 3-2 Walker and Newman opposed
Discussion: Alderman Walker was not at the October meeting and is not in favor of selling the easements.

11. **Brought back from the January 25, 2022 meeting:** Discussion and possible action to enter into an agreement with Chambers County for a county wide drainage study

Alderman Newman asked what do we get for our money?

Mayor Dagley forwarded that question to Samantha at Chambers County and she replied, there is not a more in depth nature of what we get out of it if the City participates.

Cities have a right to opt in however, we could simply open records request the drainage study information and have it provided to us.

What you will not get are any projects derived from this study for property within the city limits. Participation will include the right to use the County Engineers to assist with planning and designing a project with no additional fee.

Mayor Dagley noted that Council is basically buying insurance for any engineered projects that may be needed.

Motion to join the county, we opt in and pay our fair share of \$11,310

Motion: Walker **Second:** Smith **Approved:** 5-0

12. **Discussion and possible action on the Coronavirus Local Recovery Fund (CLFRF) grant money to be used for the drainage program and/or other projects**

Mayor Dagley spoke with Aron at Public Management. The \$145,000 CLFRF grant money the City will receive can be used towards the \$11,310 to pay for the drainage study.

Motion to use those funds to cover our share of the drainage study

Motion: Walker **Second:** Colquitt **Approved:** 5-0

13. **Discussion and possible action for additional Opioid Settlement Funds from the State of Texas**

There have been two additional entities, Teva and Endo, sued by the Attorney General. Currently the City can accept the almost \$2,000 in additional opioid funds but must do so by March 10th.

Motion to accept the new funds from the opioid settlement

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Motion: Newman

Second: Colquitt

Approved: 5-0

14. **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) Employee matters – Section 551.074

No executive session was held

15. **Reconvene into Special Called Meeting and consider action, if any, for items discussed in Executive Session**

No action

16. **Discussion and possible action regarding healthcare coverage for the City Secretary**

Secretary Donnelly has been training a new assistant for the last month. Locating healthcare coverage for a City with less than five employees has been difficult.

Alderman Smith is in favor of a special called meeting to review and approve this matter.

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

One OSSF issue has been reported on McCollum Park Road, someone was reported by a neighbor tying into their septic and running lines across the pasture. The City's Inspector will be looking into this.

18. **Report and update from the Mayor**

- a). The Comcast bill has soared since the contract ended. Secretary Donnelly called and with a new two year contract, the bill will be cut in half.
- b). In the near future TGS will add the new waterline to the BCVFD.
- c). TGS wants to improve Fisher Rd up to Cedar Gully. The greenbelt that the County wants is keeping the road improvement in active negotiations.
- d). The engineered line of sight language in the agreement has been an issue for TGS.

19. **Council Comments**

Mayor Pro Tem Colquitt asked about the status of the security lights. The lights were installed two weeks ago on the community building.

Alderman Newman spoke of FM 1405 not being kept clean where the barge/dock work is being done. Alderman Walker does not remember former Commissioner Wallace attending a City Council meeting more than once during his time as Commissioner.

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20. Adjourn

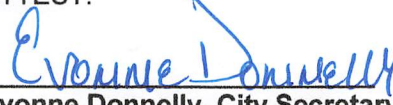
Meeting adjourned at 7:30 PM

Minutes Approved: March 22nd, 2022



Ryan Dagley, Mayor

ATTEST:



Evonne Donnelly, City Secretary

