

## ***City of Beach City Council Regular Meeting Minutes***

The Beach City Council met for a Regular Meeting on Tuesday,  
**December 16, 2014** 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 Paul Newman, Alderman Dana Colquitt, Alderman Doug Walker

**Members Absent:** Alderman Ray Smith

**Members Leaving Meeting Early:** Alderman Doug Walker left at 7:50 pm

**Staff Present:** City Secretary Evonne Donnelly, Assistant City Secretary Marge Bercaw and City Attorney Daniel Jackson

### **1. Call to order**

Mayor Combs called the meeting to order Tuesday, December 16, 2014 at 6:03 pm.

### **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 local resident asked if Council is aware that State Farm will no longer write Homeowners Policies here in Beach City. Council is aware of this action by State Farm.

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

None

### **5. Approval of Minutes for Regular Meeting of November 18<sup>th</sup>, 2014**

**Motion** to approve the minutes.

**Motion:** Newman

**Second:** Walker

**Approved:** 4-0

### **6. Financial Consent Agenda** (All financial consent agenda items are considered routine by Council and will be enacted by one motion. A Council member 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 three CD's maturing in January 2015

Council discussed the various CD rates currently available. The general consensus is to go with the BBVA Compass Bank eighteen month CD rates.

**Motion** to approve Items (a), (c), (d).

**Motion:** Newman                      **Second:** Walker                      **Approved:** 4-0

**Motion** to approve Item 6 (b).

**Motion:** Newman                      **Second:** Walker                      **Approved:** 4-0

**7. Discuss and consider Interlocal Agreement with Chambers County for Emergency Medical Services**

Chambers County Office of Emergency Management Coordinator, Ryan Holzaepfel informed Mayor Combs that the County is not following proper procedure with their Interlocal Agreements for Emergency Medical Services, per the Chambers County Attorney. While the County does not operate an Emergency Medical Service (EMS), they do fund one located within the City limits of Beach City. This requires an Interlocal Agreement between the County and the City.

**7:50 pm:** Alderman Walker has to leave the Council meeting, but he noted his concern with the liability part of the agreement; can the City be sued?

Attorney Jackson expressed his concern for what control the City would have over the EMS. Alderman Newman questioned paragraph two of the Chambers County Interlocal Agreement for EMS, which states the City Agrees to provide EMS and First Responder Services to the County.

Mayor Combs will speak to Ryan and other powers that be, regarding this issue and the wording within the EMS Interlocal agreement.

**8. Executive Session Authorized by Chapter 551 of the Texas Government code;**

- (a) Section 551.074, Texas Government Code concerning Personnel issues regarding the City Secretary and/or Assistant Secretary

COUNCIL RECESSED at 6:50 pm

**9. Consider and possible action concerning the City Secretary and/or Assistant Secretary**

Mayor Combs stated that a pay increase for the City Secretary would increase her pay rate to \$15.00 per hour. The Assistant Secretary pay rate would increase to \$11.60 per hour, effective January 1, 2015.

Alderman Newman noted that his hesitation was to ensure that Council hit the exact

percentage numbers that would equal what Council agreed upon, and it does so with this Motion.

**Motion** to increase the pay of both the Secretary and the Assistant Secretary by 3.34% effective January 1, 2015; with Salary to be reexamined again for the budget year starting July 1<sup>st</sup>.

**Motion:** Walker

**Second:** Colquitt

**Approved:** 4-0

**10. Discuss and consider request from Rosie Vidal to grant access to 7800 Ocean Drive from either Bayside Street or Bayview Street, in Bayridge Subdivision**

After reviewing the property layout and hearing from Mr. and Mrs. Vidal, Council and Mayor determined that the City has no authority over the land in question regarding access to 7800 Ocean Drive. Attorney Jackson suggested the Vidal's look on the Secretary of State's website to possibly gather information on the lumber company that owns the land.

**11. Discussion and possible action on purchasing flags from the Barbers Hill Lions Club Flag Program, to be placed in front of the City building for patriotic holidays in 2015**

The cost is \$50.00 per flag and the Barbers Hill (BH) Lions Club will put the flags up for each of the Patriotic Holidays listed: 1. Martin Luther King Day, 2. Presidents Day, 3. Memorial Day, 4. Flag Day, 5. July 4<sup>th</sup> 6. Labor Day, 7. Patriots Day/911, 8. Veterans Day. Council approved the purchase of four flags in 2014 from the BH Lions Club.

**Motion** to approve the purchase of the flags from the Barbers Hill Lions Club Flag Program for the patriotic holidays for 2015.

**Motion:** Newman

**Second:** Lasater

**Approved:** 3-0

**12. Discussion and possible action on the West Chambers County Transportation Plan**

Council will bring this back in January 2015 for discussion.

**13. Consider enforcement action, legal and/or other, on non compliance to City ordinances**

Mayor Combs discussed with Council the possibility of allowing Reggie Nalley to assist the City in ensuring compliance to the City Ordinances. Mr. Nalley has agreed to assist the City, per his conversation with the Mayor.

Mayor Combs also questioned the possibility of fines for not acquiring a permit before construction or the erection of a new building, OSSF, etc.

Aldermen Newman and Lasater will work with Mayor Combs to establish possible late fee verbiage and late fee rates to update the existing permit rates and ordinance.

Also, Nuisance Law Violations were mailed to two different homeowners per City Ordinance 2014-7, Public Nuisance Abatement ordinance.



#### **14. Update, discussion and possible action on the dedication of the Fallen Heroes Memorial**

Mayor Combs will pick up the fence from the fencing company before Christmas.

A company has agreed to erect the fence at no cost to the City.

The benches are in and the concrete will be stained when the Mayor gives the go ahead.

According to Chastity Newman with Cedar Crest Cemetery, the granite stones did clear U.S. Customs and are now on their way to Waco for the laser etching. Chastity hopes the stones will arrive back to Baytown before the end of the year. When the granite stones are in and ready to be delivered to the City; then Secretary Donnelly will send the final payment to Cedar Crest Cemetery.

#### **15. Discussion and possible action on Nominations for 2014 Volunteer of the Year**

Mayor Combs read aloud the names of the six nominees:

1. Douglas Walker 2. Judy Barrow 3. Margaret Gainer 4. Jenny Senac 5. Jay Eshbach 6. Patrick McDonald.

Alderman Walker requested his name be withdrawn from consideration for the award.

Alderman Newman stated that there are six great nominees and it's tough to pick just one. If you have to look at this year and the events that have taken place, then Pat McDonald would be his choice.

Alderman Colquitt said, she appreciates what Pat has done this year for the Beach City Volunteer Fire Department (BCVFD).

Alderman Walker's thoughts are if you have to narrow it down to two nominees, then he would choose Judy Barrow and Patrick McDonald.

Alderman Lasater noted how tough this decision is for him. If Pat had not stepped up as the BCVFD as Interim Fire Chief this summer, we could have some real issues right now.

Mayor Combs voiced his appreciation for Alderman Walker's continued volunteer service, and Council concurred.

**By a popular vote of 4-0, Patrick McDonald is selected as the Beach City Volunteer of the Year.**

#### **16. Discuss and review 2014 Sit Down with Santa event and possible action on the City's participation in 2015**

Alderman Colquitt stated that there were approximately thirty children in attendance for the Sit Down with Santa (SDwS). Despite some publicity within the community, there was a poor turnout.

Mayor Combs spoke bluntly about the friction between those involved in putting this event together. This event was not started by the City. This event was started by someone else who owns the event and wants to be in charge of the event.

It was suggested that the City make a monetary donation for the event but, the City not continue be a part of the SDwS. It was also suggested that since the City did pay for the outside banner, it should be returned to the City.

Alderman Newman added that the City should readdress this in May at budget time. Not just for this event but for possible community events as a whole.

Attorney Jackson stated in his thirty years of experience, typically the City makes these decisions at budget time and should continue to do so.

#### **17. Report and update from Mayor Combs**

The speed limit has been reduced to 55 miles per hour (mph). Mayor Combs met with Omar de Leon of the Texas Department of Transportation (TXDOT) in hopes of getting no passing zones on FM 2354 at Fishers Road and McCollum Park Road. Omar will check into this possibility and the Mayor will follow up with him.

Regarding the new turn lane at McCollum Park Road, it is possible that TXDOT may have funding to create a turn lane on FM 2354 from Fishers Road all the way to FM 565 South. Comcast is moving slow and there has been no real progress.

Santa on the Bay was fun and productive.

#### **18. Council Comments**

Alderman Newman would like to see the people coming from McCollum Park Road onto FM 2354 actually stop at the stop sign. He has experienced people pulling out in front of him on many occasions.

#### **19. Adjourn**

**Motion** to adjourn at 8:30 pm

**Motion:** Newman


**Second:** Colquitt

**Approved:** 3-0

Approved: **January 27, 2015**

  
\_\_\_\_\_  
Billy Combs, Mayor

Attest:

  
\_\_\_\_\_  
Evonne Donnelly, City Secretary