

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

The Beach City Council met for a Regular Meeting on Tuesday,  
**January 27, 2015** 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 Doug Walker and Alderman Ray Smith

**Member Absent:** Alderman Dana Colquitt

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

**Staff Absent:** City Attorney Daniel Jackson

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

Mayor Combs called the meeting to order Tuesday, January 27, 2015 at 6:05 pm.

### **2. Invocation and Pledge of Allegiance**

Mayor Combs offered prayer.

Alderman Walker led the Pledge of Allegiance to the United States and Texas flags.

### **3. Swearing in Ceremony for Beach City Municipal Court Judge Larry Cryer and City Secretary/Municipal Court Clerk Evonne Donnelly**

Mayor Combs administered the Oath of Office and the Anti Bribery Statement to Judge Larry Cryer and Municipal Court Clerk Evonne Donnelly.

### **4. Public Comments** (Limited to five minutes per person)

Robert Campise spoke to Council and thanked everyone for all they have done to make the roads safer since the loss of his wife last summer. His son Aaron is doing great and almost finished with physical therapy.

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

Commissioner Senac started off by thanking Council for being there for him and his wife Jenny after her stroke last summer.

The Communications Tower is set to start construction this year. Public Notices will start running in the Baytown Sun soon.

Commissioner Senac met with members of TXDOT; Prop 1 monies have been distributed. Chambers County is in the Beaumont district and this district just received approximately \$44 million dollars. \$10 million dollars of the Prop 1 money has been earmarked for Chambers County for two main projects. The east bound exit on I-10 at Hwy 146 is a safety hazard. The exit is too close to Hwy 146 and cars are backing up into the active lanes of I-10. The idea is to move the exit back approximately 800 feet from Hwy 146 and to have a continuous right hand turn lane. This project is expected to cost around \$2 million dollars. The other \$8 million dollars would go to improvements of FM 1405.

Chambers County located enough money to assist them in purchasing additional radar speed limit signs. Commissioner Senac thinks the County will request an Interlocal agreement with each Municipality for the use of the radar speed limit signs on the highways.

Kilgore Parkway may open in February.

The Baytown - West Chambers County Economic Development Foundation is funded by Chambers County, Harris County, City of Baytown and the Port of Houston Authority. Each year Chambers County works with this foundation to adopt the 2015 work program. One of the items that will be worked on is updating the existing ten year old Western Chambers County Transportation Plan.

McCollum Park Living Shoreline Project is underway. There also will be new play equipment at McCollum Park.

#### **6. Approval of Minutes for Regular Meeting of December 16<sup>th</sup>, 2014**

Mayor Combs would like the names of the citizens who made a public comment to Council to be added with their statement.

**Motion** to approve the minutes.

**Motion:** Walker

**Second:** Newman

**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 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

**Motion** to approve the Financials.

**Motion:** Walker

**Second:** Newman

**Approved:** 4-0

**Discussion:** Alderman Walker questioned Item 2800 - Profit & Loss Budget vs. Actual regarding the TCEQ amount being 141.67% of the budget as opposed to 50% of the budget. Mayor Combs explained that our budgets fiscal year ended in June 2014 and we had five OSSF permit inspections in June. Our Designated Representative (D.R.) Reggie Nalley was

paid for those five inspections in July 2014, which begins our new budget year. Also, Mayor Combs noted that all of Item 2800 has been misbudgeted. There is a \$150.00 expense on the January Expenditures, just for Nuisance Complaints. This will be charged to the Inspections. We are going to be over budget on that item and it will have to be adjusted and dealt with.

Alderman Walker questioned the status of the CD's that have matured or will mature at the end of the month. Mayor Combs told Council that the matured CD at Barbers Hill Bank was moved to BBVA Compass Bank at an interest rate of 1.10% for 16 months. Mayor Combs feels that the City should keep the CD's on a relatively short term as the interest rates may be on the rise again. The rates have dropped since the December meeting.

Alderman Lasaster questioned what Item 4000 - Special Contractual Services is that's listed on the Profit & Loss Budget vs. Actual Statement. Mayor Combs replied this is what Council added last June for the Sit Down with Santa (SDwS). The \$459.00 cost listed went to the SDwS event.

Mayor Combs asked that Council look at the Expenditures and review the \$150.00 payment designated for Reggie Nalley listed under OSSF Complaints. This is unfunded money and Council needs to remain aware of it, as the amount is growing larger. For instance, when Reggie Nalley does an OSSF inspection we have income from the fees associated with the permit. There currently is no way to fund the complaints to offset the money expended to Mr. Nalley for his service.

Secretary Donnelly previously emailed a copy of her expenditures for the Election Law Seminar Hotel, the TX. Municipal Clerk's Certification Program Courses 1 & 4, etc. to Council for their review.

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

Last month Council discussed this Item and Mayor Combs was going to meet with Ryan Holzapfel this month. At this time, Mayor Combs has not had time to meet with Mr. Holzapfel. Mayor Combs did discuss this Interlocal Agreement at his Mayoral meeting and the other local Mayors have not signed this agreement either due to the improper wording and lack of updating to this agreement.

**9. Discuss and consider Interlocal Agreement with Chambers County for Flood Plain Manager**

In the past the previous Mayors also acted as the flood plain managers. Mayor Combs would like for Rex Tunze, Director of Chambers County Environmental Health, to be the Beach City flood plain manager. As soon as the agreement has been drawn up by the County, it will be brought back to Council.

**10. Discuss and approve Interlocal Agreements with Chambers County for Nuisance, Food and OSSF**

**Motion** to accept and approve

**Motion:** Smith

**Second:** Newman

**Approved:**

**Motion** Re-stated: to omit the OSSF and approve Nuisance and Food



**Motion:** Smith

**Second:** Newman

**Approved:** 4-0

Discussion: Alderman Walker questioned the purpose of having an Interlocal Food Agreement with the County. Alderman Newman stated it is a State requirement for food to be inspected, if it is sold to the public. Mayor Combs agreed and is very thankful that the City has the Interlocal agreements in place with Chambers County. Secretary Donnelly noted that on page two of the Food Agreement, Section 4 there is a blank that needs to be filled in. In the OSSF (On-Site Sewage Facility) Agreement there is verbiage regarding a payment to the County, from the City, for the OSSF Designated Representatives (D.R.) services. Mayor Combs stated that the City has its own OSSF D.R. and has not previously had an Interlocal Agreement with Chambers County for OSSF Inspections. The City does have a backup D.R. and an independent contract with him.

**11. Approve aerial applications for purpose of Mosquito Control within the corporate limits of Beach City**

**Motion** to approve

**Motion:** Smith

**Second:** Lasater

**Approved:** 4-0

**12. Discuss and revise Flood Damage Prevention Ordinance 1987-1, per the updated guidelines from FEMA (Federal Emergency Management Agency)**

Council members have not read the Ordinance sent from Diana Herrera with FEMA (Federal Emergency Management Agency) to compare it to Ordinance 1987-1.

Alderman Newman felt that there was too much disorganization with the information before him. Alderman Smith requested that this item be brought back at February's meeting. Secretary Donnelly will forward each Council member Ms. Herrera's information along with a copy of the ordinances in question.

**13. Consider and adopt the Federal Emergency Management Agency (FEMA) floodplain management regulations that meet the standards of Paragraph 60.3 (e) of the National Flood Plain Insurance Program (NFIP) regulations (44 Code of Federal Regulations 59, etc.)**

**Motion** to approve revised flood maps

**Motion:** Newman

**Second:** Smith

**Approved:** 4-0

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

Mayor Combs would like to schedule a meeting with all the area municipalities involved. Commissioner Senac will speak to Mike Shields to see what the game plan will be to update the West Chambers County Transportation Plan, within the Baytown-West Chambers County Economic Development Foundation.

Mayor Combs and Commissioner Senac will follow up with each other on this subject.

**15. Consider enforcement action, legal and/or other, on non compliance to City ordinances. Also, discuss and consider proposed rate changes**

Mayor Combs updated Council on the status of the Walker Lane property that was served a violation notice in December. The owner called and said she would list the property with a local REALTOR. The Mayor understands she already has a buyer. Regretfully, the owner passed away recently. The City has agreed to give the owner's heirs time needed to facilitate the sale of the property.

Only one of the three heirs to the Ocean Drive property have called the City and spoken to the Secretary since receiving their first violation notice. There are a lot of outstanding back taxes on this property.

Mayor Combs, Aldermen Walker and Smith have not met to discuss the proposed rate changes. Alderman Newman asked if there is an opportunity to contemplate where we will have increased charges, so we can bump up the price of the permit in order to compensate for the unfunded pieces.

**16. Update, discussion and approve Resolution(s) of Dedication and/or Appreciation for the Fallen Heroes Memorial**

Mayor Combs praised Mike Donnelly for going above and beyond in gathering the large donation from NRG Charitable Trust, getting the labor together to install the fence and acquiring the landscaping company, who donated the landscaping.

Mayor Combs asked for suggestions on shrinking the wording for Resolution of Dedication 2015-01 that will replace the existing bronze plaque under the flag.

Mayor Combs read aloud Resolutions 2015-02 through 2015-06 for Council's approval.

**Motion** to approve all resolutions

**Motion:** Newman

**Second:** Smith

**Approved:** 4-0

**17. Discussion and possible action on controlling and/or trapping Coyotes in the Beach City Area**

There have been numerous reports of coyote sightings on various roads in Beach City from RWJ Subdivision to Oaks at Houston Point.

Chambers County will hire a coyote tracker to snare or trap the coyotes.

Mayor Combs suggested that in the immediate area of the traps or snares, there should be signs posted.

None of the Alderman present is opposed to the use of traps or snares to control the coyote population within the Beach City area.

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

Mayor Combs has met with the owners of the sand pit, TXDOT and the new owners of Cedar Crossing. The Mayor discussed trimming the trees back at Fisher's Road and FM 2354. A request was made to TXDOT to add a no passing zone at Fishers Road and other areas of FM 2354.

Chambers County Day is February 10<sup>th</sup> in Austin.

**19. Council Comments**

Alderman Smith would like to know what the Galveston Bay Foundation will be doing with the land they purchased on FM 2354 at Cedar Gully. Secretary Donnelly will resend the email she has with this information in it to the entire Council.

**20. Adjourn**

**Motion** to adjourn at 8:35 pm

**Motion:** Newman

**Second:** Smith

**Approved:** 4-0

Approved: **February 24, 2015**



Billy Combs, **Mayor**

Attest:



Evonne Donnelly, **City Secretary**