CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
APRIL 14, 2015

1. **Call meeting to order**

The meeting was called to order at 6:30 p.m. with Mayor Pete Perkins presiding. Council Members present: Mayor Pete Perkins and Council Members Cynthia Wilson, Ben Tucker, Elaine Kemp, Kevin Robbins, and Willie Vaden. Council Members absent: Council Member Paul Pierce. Staff present: City Manager Jim Gray, Finance Director Rosie Vela, and City Secretary Kimberly Sampson. There were approximately 20 guests.

2. **Invocation**

3. **Pledge of Allegiance**

4. **Presentations from the Audience**

Aransas Pass Police Chief Eric Blanchard thanked the City of Ingleside and specifically the Animal Control Staff for assisting the City of Aransas Pass recently when they needed assistance due to staffing issues.

5. **Consideration and action of the Minutes of the Regular City Council Meeting of March 24, 2015.**

Council Member Wilson noted a typographical error on Item 7, Paragraph 3, line 2 should read "...family is willing to further install the walls, fence,...." instead of "insult."

Council Member Wilson made a motion to approve the Minutes of the Regular City Council Meeting of March 24, 2015 with the correction noted above and was seconded by Council Member Tucker. The motion as approved with Council Members Wilson, Tucker, Kemp, Robbins, and Vaden voting aye; and Mayor Perkins abstaining because he was not present.

6. **Consideration and action regarding the possible purchase or condemnation of property in preparation for the State Highway 200 Project. The Council may meet in Closed Executive Session in accordance with Texas Government Codes Section 551.071 to "Consult with Attorney" and Section 551.072 regarding "Deliberations about Real Property."**

Mayor Perkins recessed the Regular Meeting to go into Executive Session at 6:34 p.m.

Mayor Perkins closed the Executive Session and reconvened the Regular Meeting at 7:38 p.m.

Mayor Perkins made a motion to continue with negotiations and concurrently authorize the Attorney to proceed with condemnation of any properties necessary and was seconded by Council Member Vaden. The motion was not approved with Mayor Perkins and Council Members Tucker and Vaden voting aye; and Council Members Wilson, Kemp, and Robbins voting no.

Council Member Vaden made a motion to continue negotiations with limitations on the purchase of this property concurrent with moving forward with the condemnation while we continue to negotiate with the remaining two property owners for the completion of the Easement and ROW of the SH-200; and was seconded by Mayor Perkins.

Council Member Vaden amended his motion to specify that if not all four entities in question do not comply, that all Easements and ROW's revert back to the current owner; and was seconded by Mayor Perkins. Council Member Vaden explained that his concern is that if we do not move forward, that industry may withdraw their support of this project. The main focus is to relieve the traffic from downtown Ingleside and help everyone, not just a few.

Mr. Troy Mircovich stated that he is speaking on behalf of his family members who own the land in question. He stated that questions have been asked of the City and its Attorney and the land owners are awaiting those answers before responding. Regarding the dollar figure in question, an offer is on the table from another entity and therefore the landowners believe it to be worth that much. The land owners are not trying to stop this project, they agree the need is there; but they want the answers to their questions before they can move forward. This project dissects their land that has been in their family for over 70 years and they want to know what will be done within that ROW.

City Manager Jim Gray explained that the motion on the floor will allow the Attorney to begin the condemnation process and thereby get within the queue for a court date, while still attempting to negotiate with the remaining property owners. Then, when a court date is set, we can still bring back to Council for authorization to continue the condemnation process. It takes several months to get a court date. If we don't move forward with attempting to get a court date, then we are that much further away from condemnation if that becomes necessary. If the court sets a date and we feel the negotiations are moving forward, we can push the court date further back at that time, but we would still be in line for the next available court date instead of just starting that process.

Council Member Vaden amended his motion to specify that Attorney McKibben will provide a report at the next Council Meeting on April 28, 2015 regarding the condemnation and negotiation process; and was seconded by Mayor Perkins. The motion was not approved with Mayor Perkins and Council Members Tucker and Vaden voting aye; and Council Members Wilson, Kemp, and Robbins voting no.

Council Member Tucker made a motion to continue negotiations for two more weeks and Attorney McKibben to report back at the Council Meeting on April 28, 2015 and was seconded by Council Member Wilson. The motion was not approved with Council Members Wilson, Tucker, and Kemp voting aye; and Mayor Perkins and Council Members Robbins and Vaden voting no.

Mr. Mircovich reiterated that the property owners are willing to work with the City as long as they get the answers to the questions they are asking. If the City can't answer those questions, then the property owners can't finalize any negotiations.

No other motions were made and Mayor Perkins stated he will put this item on the next agenda for April 28, 2015.

7. **Presentation regarding the TxDOT construction along FM 1069 (also known as Main Street) from 7th Street to Walmart in Aransas Pass.**

Texas Department of Transportation (TxDOT) Contractor, Bay, Ltd representative, Cody Williams explained that they will begin working on FM 1069 between 7th Street in Ingleside to Walmart in Aransas Pass. The existing four-lane with turn lane areas will be cleaned, erosion damage repaired, and repaved. The current two-lane areas will be increased to have a turn lane in the middle and shoulders. This will be an increase of 16 feet each direction. This will affect traffic and homeowners. The first month or so is just prep work and late-May to mid-June they will begin putting down asphalt. They plan to begin work on the East side of FM 1069 first. There will be a lot of one way traffic throughout this project. They will try to improve drainage as they work on the project. Mr. Williams will provide monthly reports to Council throughout the job.

8. **A Public Hearing regarding an application for a Special Permit to allow a family owned custom cabinetry shop on the property located at most eastern 2 acres of a five (5) acre tract described as North ½ of Lot 14, Block B, Burton and Danforth Subdivision, also known as 1813 Beasley.**

Mayor Perkins opened the Public Hearing at 8:23 p.m.

Speaking in favor of the Special Permit was Eddie Ham. He stated he would like to reduce the permit from two (2) acres down to be 130 feet wide along Beasley and 180 feet deep.

There were no speakers against this Special Permit.

Mayor Perkins closed the Public hearing at 8:25 p.m.

9. **Consideration and action of an Ordinance granting a Special Permit to be allowed to operate a family owned custom cabinetry shop on the property located at the most eastern 2 acres of a five (5) acre tract described as North ½ of Lot 14, Block B, Burton and Danforth Subdivision, also known as 1813 Beasley and further providing for effective date, reading, severance, and publication. (First Reading)**

Council Member Robbins feels the recommendations from the Planning and Zoning Commission are too restrictive and costly. Council Member Wilson questioned why paved parking is being required for this business with little to no traffic when other businesses in town with higher traffic volumes are not required to pave their parking lots.

Planning and Zoning (P&Z) Commission Chairperson, Ann Miller explained some of the items were presented by property owner Mr. Eddie Ham and others were suggested by the P&Z Commission.

Mr. Ham stated the items he has agreed to are in an effort to get along with his neighbors but he does feel these restrictions are costly.

Council Member Vaden made a motion to pass to a second reading the Ordinance granting a Special Permit to be allowed to operate a family owned custom cabinetry shop on the property located at the most eastern 2 acres of a five (5) acre tract described as North ½ of Lot 14, Block B, Burton and Danforth Subdivision, also known as 1813 Beasley and further providing for effective date, reading, severance, and publication with the inclusion of the following restrictions: (1) be specific that the business be owned/operated by the Ham Family, (2) there be an ingress/egress a minimum of 20 feet wide drive made of a stablized all weather service, (3) employ no more than two (2) non-family members as employees, and (4) the hours of operation be limited to 7:00 a.m. to 8:00 p.m. The motion was seconded by Council Member Kemp. The motion was approved with Mayor Perkins and Council Members Tucker, Kemp, Robbins, and Vaden voting aye; and Council Member Wilson voting to abstain because her family owns property near this location.

10. **Consideration and action of an Ordinance granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV), for security purposes while doing land improvements on the property located at the North ½ of Lot 14, Block B, Burton and Danforth Subdivision, also known as 1813 Beasley; and further providing for effective date, reading, severance, and publication. (Final Reading)**

    Council Member Vaden made a motion to approve Ordinance # 2015-12 granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV), for security purposes while doing land improvements on the property located at the North ½ of Lot 14, Block B, Burton and Danforth Subdivision, also known as 1813 Beasley; and further providing for effective date, reading, severance, and publication; and was seconded by Council Member Tucker. The motion was approved with Mayor Perkins and Council Members Tucker, Kemp, Robbins, and Vaden voting aye; and Council Member Wilson voting to abstain because her family owns property near this location.

11. **Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single-Family Residential) to C-2 (General Commercial) and further providing for effective date, reading, severance, and publication: Lots 1 through 9 and 13 through 26 of Block 12; Lots 14, 15, 16 of Block 17; Lot 1 and Lots 6 through 23 of Block 18; Lots 1 through 6 of Block 24; Lots 1 through 7 and Lots 11 through 14 of Block 25; Lots 36 through 39 of Block 26, all in the R.J. Williams Subdivision. (Final Reading)**

Council Member Kemp made a motion to approve Ordinance # 2015-13 changing the zoning for the following property from its present zoning of R-1 (Single-Family Residential) to C-2 (General Commercial) and further providing for effective date, reading, severance, and publication: Lots 1 through 9 and 13 through 26 of Block 12; Lots 14, 15, 16 of Block 17; Lot 1 and Lots 6 through 23 of Block 18; Lots 1 through 6 of Block 24; Lots 1 through 7 and Lots 11 through 14 of Block 25; Lots 36 through 39 of Block 26, all in the R.J. Williams Subdivision; and was seconded by Council Member Vaden. The motion was approved unanimously.

12. Consideration and action regarding the Center Point Energy 2015 Annual GRIP Adjustment for the South Texas Division.

City Manager Jim Gray explained this is the usual annual GRIP adjustment. Staff recommends the Council to request the extension which will save a little bit of money for the citizens.

Council Member Kemp made a motion to request the 90-day extension of the 2015 Annual GRIP Adjustment and was seconded by Mayor Perkins.

Center Point Energy representative, Tom Champagne noted that the extension is a 45-day extension, not 90-days.

Council Member Kemp amended her motion to be 45-days and was seconded by Mayor Perkins. The motion was approved unanimously.

13. Consideration and action to appoint a new member to serve on the Board of Adjustments to replace Steve Diehl who will be resigning effective May 9, 2015.

Code Enforcement Officer Carey Dietrich explained that due to Board of Adjustment Member Steve Diehl being unopposed on the May 9, 2015 City Council Election, he has provided his resignation to be effective on that date. Mr. Tracy Long has expressed his interest and his resume is included in the Council Packet and he is present at this meeting if there are any questions. There were none.

Council Member Kemp made a motion to appoint Tracy Long to replace Steve Diehl as a Member of the Board of Adjustment to be effective May 9, 2015; and was seconded by Council Member Tucker. The motion was approved unanimously.

14. Consideration and action regarding the FY 2014/2015 Capital Improvements Program (CIP) expenditures.

Mayor Perkins questioned the dollar figures for the concrete pads for the Police and Fire Department being the same amount as the new Police Vehicle and City Manager Jim Gray explained it was just a copy and paste item; however, the cost of the concrete pads were about $40,000 each. The Master Plan is for the whole City. The Brush Truck is actually a large truck with the grapple to pick up the brush around town.

Council Member Wilson questioned the Library computers and drop box. Finance Director Rosie Vela stated this would be twelve (12) new public computers and to provide a better drop box so electronic materials won't get damaged when inserted.

Council Member Kemp questioned the $50,000 for sidewalks and Mr. Gray stated the plan is to begin with extension of sidewalks to make sure all of the schools are connected, then consider the sidewalks near the parks and along high traffic areas evidenced by beaten pathways and eventually move on to neighborhoods. The staff hope to eventually include this in the annual budget. If the work is performed by staff, there would be no need to bring back the cost to the Council; however, if it is contracted out, that may be necessary.

A motion was made by Council Member Kemp and seconded by Mayor Perkins to approve the FY 2014/2015 Capital Improvements Program (CIP) expenditures as follows:

City Council	$125,000
Police	$ 83,654
Parks	$ 50,000
City Secretary	$ 5,000
Fire Department	$ 56,827
Water	$ 30,370
Streets	$183,000
Finance	$ 5,125
Code Enforcement	$ 8,500
Building Inspections	$ 9,235
Library	$ 15,500
Total:	$572,111

The motion was approved unanimously

15. Receive the Departmental Reports for the month of March 2015.

Council Member Kemp questioned why the Home Grant only has two (2) homes at this time and why there was a change in the Live Oak Park Design and submission for grant funding. City Manager Jim Gray explained that TDHCA has changed the Home Grant guidelines and until further notice, we will probably only get two to three homes at a time, even though we were approved for up to ten (10) homes. And the original Live Oak Park design that was submitted for a grant to Texas Parks and Wildlife was declined for several reasons. At this time, Naismith Engineering is reworking the design and responses to the questions, all at no charge, in order to resubmit. If this doesn't work, we will have to look at other sources.

Mayor Perkins questioned what else needed to be finalized on the new Water Tower and Mr. Gray explained there were some items regarding the air conditioning unit in the blower room that are being worked on at this time.

16. Staff Reports

City Manager Jim Gray announced that new Banners are being replaced around town; the Investment Committee will meet and provide a report at the April 28, 2015 Council Meeting; and the Candidates Forum is scheduled for Monday, April 20, 2015 at 7:00 p.m. at the Humble Recreational Facility.

Mayor Perkins and Mr. Gray provided a report of their meeting with the Coastal Bend to DC trip they attended at the end of March, 2015.

17. Requests from Council Members

Council Member Wilson asked for (1) a report as to why the SH 200 has decreased in width; (2) if EMAS was requesting a Special Permit for the haul road like Helix did; and (3) how Blackbeards was allowed to close-off the sidewalk and not required to have handicapped parking.

18. Adjourn

There being no further business, the meeting was adjourned at 9:40 p.m.

ATTEST:

Kimberly Sampson, City Secretary

APPROVED:

Mayor Pete Perkins