

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
DECEMBER 11, 2018**

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Ronnie Parker presiding. Council Members present: Mayor Ronnie Parker and Council Members Ben Tucker, Kody Fahrenthold, Oscar Adame, Dennis Knippa, Pete Perkins and John Schack. Staff present: City Manager David Huseman, Interim Finance Director Linnette Barker, and City Secretary Kimberly Sampson. There were approximately 70 guests present

2. Roll Call

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

There were no comments from the public.

Presentations:

6. Recognition of two (2) retiring employees: Anthony (Tony) Vasquez and Paul Bearden.

Mayor Parker and the Council recognized Anthony (Tony) Vasquez for his 41 years and Paul Bearden for his 7 years of service to the City of Ingleside.

7. Introduction of the Staff recently promoted from within and new hires.

The Department Managers introduced the new and promoted staff to the Council as follows:

Promotion of Isabel Salas from Assistant Librarian to Accountant;
Promotion of Ryan Breaux from Patrol Officer to Detective;
New Evidence Tech, Jamie Matise (was not present this evening);
New Code Enforcement Clerk, Kaylee Mendoza; and
New Library Clerk, Glenda Adams.

8. Introduction of Public Safety Employees to council and citizens.

Interim Police Chief, Robert Luna provided a brief back ground of each individual and introduced Sgt. Dan Bender, Officer Katha McAlister, and Dispatcher Shanna Grottie.

9. Presentation of awards to the winners of the "Paste the Waste" Art Competition.

On behalf of Parks and Facilities Manager, Mariana Rodriguez, Building Official, Carey Dietrich announced the winners and Mayor Parker presented the prizes for the "Paste the Waste" Art Competition as follows:

Sculpture 1st Place, Yveel Lopez;
Sculpture 2nd Place, Armando Gomez;
Sculpture 3rd Place, Laurisa Patell;
Portrait 1st Place Breanna Aranda;
Portrait 2nd Place Zoe Damron;
Portrait 3rd Place, Louis Duron; and
Overall Winner, Anthony Just.

Mayor Parker moved agenda items 14 and 15 forward in the meeting.

14. Discussion, consideration, and action allowing Troop 26 to camp out at Live Oak Park for three years, January 1, 2019 through December 31, 2021.

Boy Scout Troop 26, Troop Leader, Aaron Ackerman explained that the Scouts have had great experiences at Live Oak Park and it is cheaper for all parties than trying to travel to another area to earn their merit badges. This is also a way for the Scouts to give back to their own community. It is an overall good program and experience for the Scouts and the City.

Council Member Schack made a motion authorizing Troop 26 to camp out at Live Oak Park for three years, January 1, 2019 through December 31, 2021; and was seconded by Council Member Adame. The motion was approved unanimously.

15. Consideration and action of the confirmation of the Ingleside Volunteer Fire Department Officers to be effective January 1, 2019.

Volunteer Fire Chief, Steven Loving introduced the Officers to be effective January 1, 2019 as follows:

Chief, Steven Loving;

Assistant Chiefs, Jacob Atcher and James Creek; and

Captains, John Witt, Greg Roseberry, and Larry Norotsky.

Public Hearings:

~~10. A Public Hearing regarding an excavation permit filed by Buckeye Partners LP for the property located at Property ID# 70762. Approximately 200 acres of unsurveyed tracts in ABST 272 Zacharrias Survey (entrance off of FM 2725). Cancelled/Removed from agenda at applicants Request 11/02/18~~

~~11. A Public Hearing regarding an application filed by Keystone Casas to re-plat the following property, Lots 10-DR and 10-E, Block J, Burton and Danforth Subdivision, City of Ingleside, San Patricio County, Texas. Cancelled/Removed from agenda at the applicants Request 12/3/18.~~

Mayor Parker opened the meeting to the Public Hearings at 6:48 p.m.

12. A Public Hearing regarding an application filed by Tracy Long on behalf of Michael and Marie Meaney to re-plat the following property, Lots 1-10, Block 1, Long Estates Subdivision, City of Ingleside, San Patricio County, Texas.

Speaking in favor of the re-plat was Mr. Tracy Long. He stated there is already adequate utilities at the roadway and he plans to develop similarly to the cul-de-sac he built on 8th Street. There are some drainage issues at this location and he plans to pull the water to the back lot and have a holding pond.

There were no speakers against the re-plate.

13. A Public Hearing regarding an application filed by Michael Rowland to rezone the hereinafter described real property from its present classification of L-1 (Light Industrial) to I (Industrial): S/2 LT 7 and PT LT 8, BLK M, Burton and Danforth Subdivision, Ingleside, Texas, also known as 1296 Sixth Street and 1314 Sixth Street.

Speaking in favor of the rezone was Mr. Michael Rowland. He stated the land has been a part of his family since 1982 and he has owned it since 2017. They produce items for local industry, employ between 100-120 staff, and would like to expand their business. With an Industrial zoning, they can put up a full tent that would allow them to perform more sand blasting and painting. TCEQ has been to their current job site and taken samples to confirm that they are within maximum particulate allowed for their current business; however, for them to expand, TCEQ will require the area to be tented. If expanded, they can provide more jobs for the local economy.

Speaking against the rezone was Mr. Howard Upton. He stated he has been dealing with dust and paint on his vehicles since 2017. Mr. Upton does not feel that Mr. Rowland did his due diligence when purchasing and expanding the business because the City nor TCEQ were involved until Mr. Upton started complaining in 2017. TCEQ won't allow

certain procedures within 500 feet of a neighbor's property and there is a neighbor's property within the 500 feet, so Mr. Rowland is now trying to purchase the property himself; after the fact.

Mayor Parker closed the Public Hearings at 7:04 p.m.

Action Items:

- 16. Discussion, consideration, and action of an application filed by Tracy Long on behalf of Michael and Marie Meaney to re-plot the following property, Lots 1-10, Block 1, Long Estates Subdivision, City of Ingleside, San Patricio County, Texas.**

Council Member Schack stated he is against this re-plot because not all of the lots have the minimum 60 foot frontage and there are two (2) Flag-Lots. Previous Council said no Flag-Lots and therefore he will not vote in favor of any Flag-Lots.

Mr. Long stated "The Lot cannot support a cul-de-sac due to the amount of drainage. The City code does not disallow Flag-Lots but requires Council approval in order to be allowed."

No motion was made and thereby no action was taken by Council.

- 17. Discussion, consideration, and action of an Ordinance changing the zoning for the following property from its present zoning of L-1 (Light Industrial) to I (Industrial) and further providing for effective date, reading, severance, and publication: S/2 LT 7 and PT LT 8, BLK M, Burton and Danforth Subdivision, Ingleside, Texas, also known as 1296 Sixth Street and 1314 Sixth Street. (First Reading)**

Building Official, Carey Dietrich noted that the letters of objection were not within 200 feet and therefore no super majority vote is required by Council.

Council Members Fahrenthold and Schack agreed that the current Light Industrial zoning is in agreement with the Future Land Use Map and therefore they support it continuing at its current zoning, but not to re-zone to Industrial.

No motion was made and thereby no action was taken by Council.

- 18. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to I (Industrial) and further providing for effective date, reading, severance, and publication: Abst 184 WM McDonough Sur Trs 1-9 Mircovich est. Ingleside, TX, also known as S Ave B (South End). (Final Reading)**

Council Member Schack made a motion to approve Ordinance # 2018-18 changing the zoning for the following property from its present zoning of R-1 (Single Family Residential) to I (Industrial) and further providing for effective date, reading, severance, and publication: Abst 184 WM McDonough Sur Trs 1-9 Mircovich est. Ingleside, TX, also known as S Ave B (South End); and was seconded by Council Member Knippa. The motion was approved unanimously.

- 19. Discussion, consideration, and action of a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Planning and Zoning Commission.**

Council Member Schack made a motion to approve Resolution # 2018-27 of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Planning and Zoning Commission; and was seconded by Council Member Perkins. The motion was approved unanimously.

- 20. Discussion, consideration, and action of a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Board of Adjustments.**

Council Member Schack made a motion to approve Resolution # 2018-28 of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Board of Adjustments; and was seconded by Council Member Adame. The motion was approved unanimously.

21. Discussion, consideration, and action of a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Animal Control Board of Appeals.

Council Member Fahrenthold made a motion to approve Resolution # 2018-29 of the City Council of Ingleside, San Patricio County, Texas, appointment/reappointment of Members to the Animal Control Board of Appeals; and was seconded by Council Member Tucker. The motion was approved unanimously.

22. Consideration and action of an Ordinance regulating fireworks and providing penalties for violations. (First Reading)

Council Member Tucker stated he supports this Ordinance due to how it affects those individuals with PTSD, animals going running away from home, certain years dry conditions lead to fires, the trash it leaves behind, and because we are the only city in area that still allows it – others come to our city to set off fireworks and this only increases each year.

Council Member Knippa questioned if citizens would still be able to transport the fireworks and both Volunteer Fire Chief Steven Loving and Interim Police Chief Robert Luna agreed transportation is not an issue; the only concern is the use of the fireworks within the city limits. Chief Loving reminded the public that International Fire Code of 2012 does not allow the sale of fireworks within the city limits.

Mr. Howard Upton questioned how Kiewit Offshore Services will be affected by this Ordinance. Mayor Parker explained there is a provision for events that have Liability Insurance and specific safety/security measures in place.

Council Member Tucker made a motion to pass to a second reading the Ordinance regulating fireworks and providing penalties for violations; and was seconded by Council Member Fahrenthold. The motion was approved with Mayor Parker and Council Members Tucker, Fahrenthold, Adame, Knippa, and Perkins voting aye; and Council Member Schack voting no.

23. Discussion, consideration, and action of a Resolution changing various fees in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water services.

Finance Director, Linnette Barker noted the \$0.02 is a direct pass through increase from the City of Corpus Christi to SPMWD and from SPMWD to the City of Ingleside. No increases were included from either SPMWD or the City of Ingleside. Mayor Parker questioned if in the future an explanation of how the entity requiring an increase came to the justification of any increase was determined.

Council Member Perkins made a motion to approve Resolution # 2018-30 changing various fees in Appendix "A" Fee Schedule of the Ingleside Code of Ordinances and in particular those monthly fees charged to users of water services; and was seconded by Council Member Schack. The motion was approved unanimously.

24. Discussion, consideration, and action for the award of the City's Depository Contract with Frost Bank.

Council Member Adame made a motion authorizing the award of the City's Depository Contract with Frost Bank; and was seconded by Council Member Schack. The motion was approved unanimously.

25. Consideration and action of a Resolution of the City of Ingleside, Texas opposing the Trafigura Gulf Terminals Offshore Oil project.

Mayor Parker stated the only individuals that can stop this from occurring are Governor Abbott and the Coast Guard. Kleburg County and King Ranch are in support of this offshore oil project; however, most coastal communities are against it because of the potential danger to our shorelines, not to mention the impact it could have on our industry.

Mr. Willie Vaden explained that he works in the offshore oil industry and he does not support this project because of the impact it would have on everyone from industry, to tourism, to fishermen.

Council Member Schack made a motion to approve Resolution # 2018-31 of the City of Ingleside, Texas opposing the Trafigura Gulf Terminals Offshore Oil project; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

26. Discussion, consideration, and action regarding the City of Ingleside revamping the Information Technology (IT) Department from two (2) full time staffing to a single staff person and contract out for IT services.

City Manager, David Huseman assured the Council he has used similar programs in other cities he has worked in and it can support the staff while still keeping within budget. The plan is to seek RFQ's from IT firms and depending on the results of those responses make a recommendation to the Council. With the recent retirement of one of our two IT staff members, this is an opportunity to consider our other options.

Council Member Fahrenthold made a motion authorizing the staff to seek RFQ's in order to consider the outsourcing of some of the IT services; and was seconded by Council Member Knippa. The motion was approved unanimously.

27. Hurricane Harvey Recovery updates

- a) **Insurance**
- b) **Buildings and Facilities**
- c) **FEMA Debris Removal**
- d) **Fund 19 Fund Report**

City Secretary, Kimberly Sampson Henry updated the Council on the most recent meeting with the Insurance Adjuster that was held November 28, 2018. At this time we are waiting to hear back from the Adjuster and the Engineer that were both in attendance of that meeting.

28. Discussion with H2O Partners regarding (a) Project Status Updates, (b) FEMA Project Worksheets (PW) Development/Review/Payment Process, (c) Direct Administration Costs PW (Cat Z PW), and (d) possible action for Task Order # 4 for Public Assistance Disaster Recovery Services for an amount not to exceed \$128,060.00.

H2O Vice President, Eric Howard was present to provide the update to the Council of the City and H2O's efforts with FEMA and TDEM. Unfortunately Lucas Pagan could not be present tonight due to him being involved in a car accident involving a deer.

Council Member Schack stated he would prefer to wait for the full report from Mr. Pagan when he is able to come back to a Council Meeting.

Council Member Schack made a motion to approve Task Order # 4 with H2O for Public Assistance Disaster Recovery Services for an amount not to exceed \$128,060.00; and was seconded by Council Member Perkins. The motion was approved unanimously.

- 29. Consideration, discussion, and possible approval of a Change Order associated with HVAC return air ductwork at City Hall. Change Request No. 2 (Ductwork) had been previously submitted by Barcom Construction Inc. for consideration but the option for ductwork was not authorized. Funding is available in the Harvey Fund.**

Building Official, Carey Dietrich explained that the Building Code will not allow us to use the hallway and gated door to the HVAC as adequate air return. The Building Code requires the use of return air ducts from each office area.

Eric Riveria of Hanson Professional Services, Inc. explained the difference in price from the metal return air ducts (that are cleanable if required) is only \$500 more expensive than the lesser material that cannot be cleaned if there is a future need, similarly to what we experience with the mold following Hurricane Harvey.

Council Member Schack made a motion to approve Change Request No. 2 associated with HVAC return air ductwork at City Hall for an amount not to exceed \$12,946.70; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

Consent Agenda: (All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.)

Council Member Schack requested item # 32 be removed from the Consent Agenda.

30. Ratification of City of Ingleside expenditures to be paid.

31. Approval of City Council Minutes dated September 11, 2018. (Tabled from 11/13/18)

Council Member Adame made a motion to approve the Consent Agenda and was seconded by Council Member Tucker. The motion was approved with Mayor Parker and Council Members Tucker, Fahrenthold, Adame, Knippa, and Schack voting aye; and Council Member Perkins voting to abstain from item # 31.

32. Consideration and action to reappoint the Municipal Court Judge, Valarie Glover in accordance with the City Charter Section 4.02.B and Texas Government Code Section 29.005 for a two (2) year term to run from January 1, 2019 through December 31, 2020.

Council Member Schack requested the Council have an opportunity to evaluate the Municipal Court Judge prior to reappointment because this has been the practice in prior years.

City Manager, David Huseman explained that most municipalities don't evaluate a Judge. They either appoint or don't, but no communication occurs between the elected officials and appointed Judges.

Council Member Schack stated he preferred to evaluation as previous Councils have done and for this to be discussed in Closed Executive Session. He questioned if there was any time constraints and Mr. Huseman stated if no action is taken with 90-days, the Judge is automatically re-appointed; so there is time to evaluate and consider for re-appointment.

Executive Session:

33. The Council may meet in Closed Executive Session in accordance with the Texas Government Code Section 551.074 (Personnel Matters) regarding the appointment of Municipal Court Clerk as Municipal Court Relief Judge.

Mayor Parker closed the Regular Meeting to go into Closed Executive Session at 8:07 p.m.

Mayor Parker closed the Executive Session and re-opened the Regular Meeting at 9:23 p.m.

34. Reports from Staff

There were no reports from Staff.

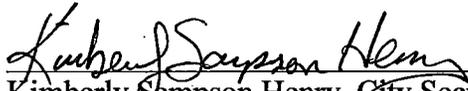
35. Requests from Council Members

There were no requests from Council Members

36. Adjourn

There being no further business, the meeting was adjourned at 9:25 p.m.

ATTEST:



Kimberly Sampson Henry, City Secretary

APPROVED:



Mayor Ronnie Parker