



Meeting Minutes City Council

City of Clear Lake Shores City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 281-334-2799 or write to 1006 South Shore Drive, Clear Lake Shores, Texas 77565, at least 48 hours in advance of the meeting.

Tuesday, March 16, 2021 **6:30 p.m.** **931 Cedar Rd., Clear Lake Shores, TX 77565**

Present: Mayor Kurt Otten, Councilman Rick Fisher, Councilman Alex Scanlon, Councilman Randy Chronister, City Administrator Brent Spier, Police Chief Tracy Keele, Building Official Kevin Harrell, CLSKVFD Chief Rob Suniga, Fire Marshall Tommy Cones, City Secretary Christy Stroup, City Attorney Loren Smith.

Absent: Councilwoman Christy Lyons, Councilwoman Jan Bailey, G.C.H.D. Amy Weber

1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor Otten called meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE TEXAS FLAG.

Mayor Otten lead the Pledge of Allegiance to the Flag of the United States of America and the Texas Flag

3. PUBLIC HEARING:

Mayor Otten opened the Public Hearing at 6:31 pm:

The City of Clear Lake Shores will hold a Public Hearing to discuss an ordinance violation regarding a substandard building at property 419 Oak Rd., Clear Lake Shores, Texas 77565.

Edmond Brian Chernecke – homeowner of 419 Oak Rd.: Stated that he objected to the notice due to the 10 day notice requirements. He stated that notices do not state the violation. The notice stated requirements to be completed immediately and he stated that the time frame he was given was not long enough. Mr. Chernecke explained how the home burned and the extent of damage to the home and the surrounding buildings on property.

Mr. Chernecke stated that he has plans to demolish the 2nd and 3rd floor and have the structures out back removed completely. The 1st floor could possibly stay. Will have a structural engineer come and study the home before deciding if he will demolish the 1st floor or rebuild from it.

Raymond Chudzinski and Kathryn McMann reside next door at 427 Oak Road: Mr. Chudzinski stated that he has been out of his home since the fire because he feels that the wall next to his home is unsafe and needs to come down immediately. He is requesting that Mr. Chernecke's plan and including time frame be put in writing.

Kathryn McMann stated that they have contacted a General Contractor to come and repair their home, but he will not come on the property until the wall is down.

Mayor Otten called for any other comments. No other comments were made.

Mayor Otten closed the Public Hearing closed at 7:06 pm

4. REPORTS FROM COUNCIL:

Councilwoman Bailey: Absent (car trouble in Waco)

Councilman Fisher: No comments

Councilwoman Lyons: Absent (excused)

Councilman Scanlon: R & D and WCC met and will be discussed later on the agenda

Councilman Chronister: No comments

Mayor Otten: Island Clean up is coming up on the 20th and is for the perimeter and in the waters surrounding the island; Brandon Dunegan and his Troop have completed the Kayak launch.

5. STAFF REPORTS:

Chief Tracy Keele: Upgrade camera installation on the patrol cars and body cams are being installed this week.

Building Official Kevin Harrell: See report attached (attachment a)

Kemah Volunteer Fire Dept. Chief Suniga: In attendance to answer any questions concerning the fire at 419 Oak Rd.; reviewed the stats for February. Mayor Otten commended the Fire Department for their assistance with the fire and also during the freeze.

Galveston County Health District Amy Weber: Absent (attachment b)

City Administrator Brent Spier: See Report attached (attachment c)

6. COMMITTEE REPORTS:

Parks and Pool: Absent

Roads and Drainage: Richard Sowrey reported (attachment d)

ZBOA: Patrick Michaelski present – no report

P & Z: Patrick Michaelski stated that their next meeting is March 29th.

WCC: Alex Scanlon stated that they did a perimeter walk of the waterfront on 3/5/2021; stated that leaseholders should look at any water pipes that they have ran to their piers and docks since the freeze.

CIVIC CLUB: Island Clean-up on March 20th – Soul Freak will be serving coffee; April 3rd is Easter egg hunt; April 4th is Sunrise Service; May 6th is the Pool Membership Drive and Ice Cream Social; May 15th will be City Wide Garage Sale; June will be Steak and Sinatra; June 1st the Scholarship will be awarded.

EDC: Mike Pons present – 5 year palm tree plan was implemented prior to freeze so damage assessment is being reviewed; Received preliminary bids and designs for a boardwalk pedestrian bridge on the East side of the bridge is being discussed; contract to install lighting in the Lee Parking lot; Jammin on Jarbo is back.

7. PUBLIC COMMENTS:

Patrick Michaelski thanked Chief Keele and his police department for the help with their hit and run incident at their home.

8. OLD BUSINESS: Discussion and possible action maybe taken on the folowing items:

a. Discussion Only: Replacement of pier and bulkhead at Lowel Brown Park.

City Administrator Brent Spier stated the city has received drawings for the rebuild but had a few revisions that are being addressed. Looks like it will be a summertime build depending on tide and wave action. He will be receiving quotes for wood and composite material for the walkway area on bulkhead for price comparison. Will bring this back to City Council on April 6th.

9. NEW BUSINESS:

CONSENT AGENDA:

- a. Check Register: 02/25/2021 thru 03/10/2021
- b. CC Meeting Minutes 03/02/2021 (regular)
- c. Sales Tax February 2021
- d. Quarterly Investment Report for 12/31/20

CONSENT AGENDA PASSED

COUNCIL BUSINESS - Discussion and possible action may be taken on the following items:

- a. Appointment of one member to the Zoning Board of Adjustments due to the resignation of Jeff Terrell – term will expire 09/30/2021.

Councilman Scanlon made motion to appoint Elaine Sokoloff to the Zoning Board of Adjustments
Councilman Chronister second the motion

Councilman Chronister asked if ZBOA needed to have an alternate and if so could they appoint Mark Thompson at this time as the alternate.

Mayor Otten said yes with an amendment to the motion.

Councilman Scanlon amended his motion to include Mark Thompson be appointed as alternate to the ZBOA.
Councilman Chronister second the motion

MOTION PASSED UNANIMOUS

b. Action from Public Hearing – Ordinance violation regarding substandard building at property 419 Oak Rd., Clear Lake Shores, TX 77565

Kevin Harrell, Building Official stated that he does want a letter stamped and signed by a structural engineer stating that the ground floor is structurally sound. He also has no issue with the time frame given for the removal of the structure.

City Attorney Loren Smith stated that the City should receive something in writing from Mr. Chernecke with a time line of certain events that will happen with the structure.

Councilman Chronister made motion to approve 90 days to remove and remediate the property.
Councilman Scanlon second the motion

Discussion:

Councilman Chronister asked how often Mr. Chernecke is to report progress to Mr. Harrell?
Mr. Harrell said at least every 2 weeks
Councilman Scanlon requested deadline dates for the removal of the structure.

Tommy Combs, Fire Marshall reported that the property is structurally unsafe and the 3rd floor walls need to be taken down immediately and that City Council needs to state a timeframe for the destruction of the property.

Raymond Chudzinski requested a separate timeline for the immediate liability be addressed including the removal of the top story walls.

Mr. Chernecke stated that the wall will be taken down Thursday weather permitting. Does not want to be tied down to a timeline that he may not be able to comply with. Would prefer Mr. Harrell come by the house and review what has been done instead of him taking time to submit reports.

Comments were made by several council members concerning a time line submitted to Mr. Harrell with reasonable dates addressing issues that are being discussed.

Councilman Chronister amended motion to read 10 days to tear down 2nd and 3rd floor including South wall and during the next 10 days also come up with a plan and work with Kevin on a 90 day plan for remediation of the property.
Councilman Fisher second the motion

Councilman Chronister amended motion to allow 72 hours to have the South wall down and 10 days to have the 2nd and 3rd floor down and also within the 10 days have a written plan to Kevin Harrell for the 90 day remediation.

Councilman Fisher second the motion

MOTION PASSED UNANIMOUSLY

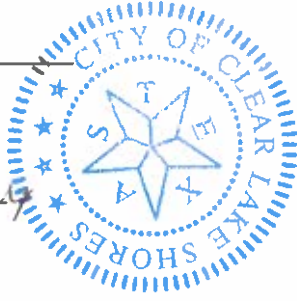
7. ADJOURNMENT:

Mayor Otten adjourned the meeting at 8:21 p.m.

Date Approved: 4-6-21

Kurt Otten
Mayor Kurt Otten

Attest:
Christy Stroup
Christy Stroup
City Secretary





CITY OF CLEAR LAKE SHORES

1006 South Shore Drive
 Clear Lake Shores, Texas 77565
 Office: 281-334-2799 Fax: 281-334-2866

Building Official Report March 2nd, 2021 - March 16th, 2021

Building Department:

Seventeen new permits were issued since our last meeting. Sixteen of the permits are minor construction. I issued a new residential construction permit for 622 Pine.

Current Residential Construction: I currently have six new homes being constructed in various states of construction. 819 Cedar, 622 Pine, 727 Pine, 518 Pine, 1220 Ivy, 923 Dogwood St.

Fire and Unsafe Structure at 419 Oak Rd.: The site is secure with a fence around the property and posted with several Unsafe Structure signs. The non-toxic green liquid has faded and looks to be only water now.

New Commercial Construction:

Okie's Yardhouse: The new kitchen hood has been installed. The new gas fire pits were inspected and approved. The gas fire pits should be in operation shortly. A new floor has been poured in the canopy area.

The Old Strawberry Fields building : These construction drawings are being worked on. I should be receiving construction plans in a few weeks. They are planning a phase construction with the brewery production and the 1st phase. The bar and restaurant will be the 2nd phase.

Marina Bay Harbor: Marina Bay Harbor is currently reconditioning its fuel system. They plan to sell fuel in their cove. They are also looking at building a convenience store at the entryway of their cove.

Code Enforcement & Waterfront Leases:

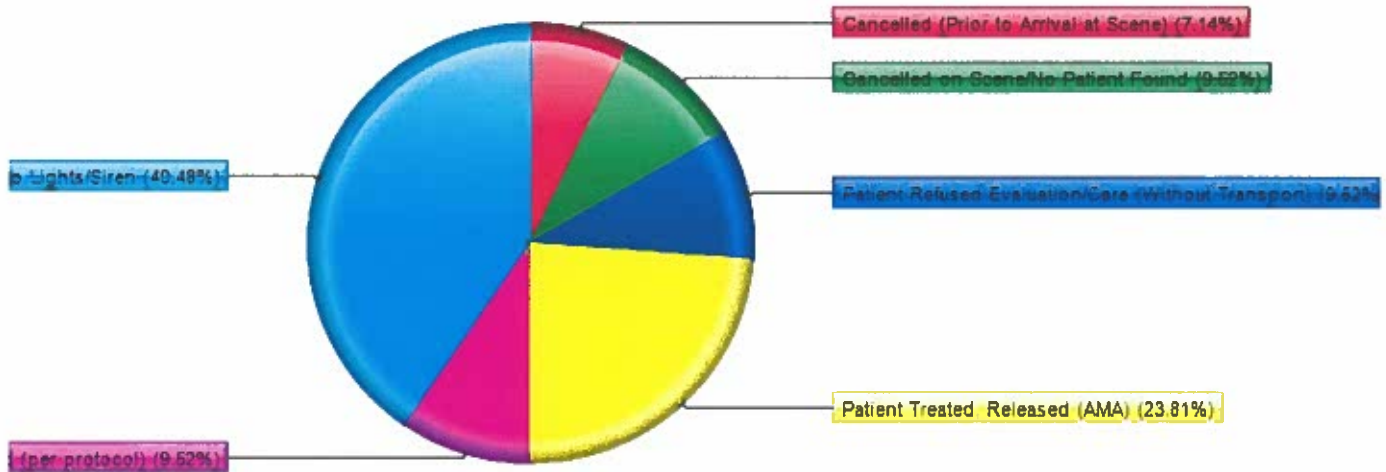
I am currently tracking seven code enforcement cases. All are waterfront bulkhead issues from my inspection on October 29, 2020. I have the newest waterfront compliance committee inspection list. Most of the violations are numbers and fill, with a few pier violations. I should be getting those letters out next week.

Kemah Disposition Type Breakdown Date: Wednesday, March 3, 2021
Time: 8:15:11 AM

Dispatched Time between 2021-02-01 and 2021-03-01

Disposition Breakdown

Disposition	Total
Cancelled (Prior to Arrival at Scene)	3
Cancelled on Scene/No Patient Found	4
Patient Refused Evaluation/Care (Without Transport)	4
Patient Treated, Released (AMA)	10
Patient Treated, Released (per protocol)	4
Transported No Lights/Siren	17
	42



Incident Date between 2021-02-01

and 2021-03-01

County	Medical Trauma	District	Incident Date	Incident Number	Primary Impression	Injury Primary	Injury Detail	At Patient Time	Depart Scene Time	At Destination Time	Patient Contact Time	Scene Time	Trauma Calls
				Count 42									
Galveston													
				County Total 42									
		Kemah											
				Count 7									
			2/7/2021	K21-0077	No Complaints or Injury/Illness Noted								
			2/12/2021	K21-0081									
			2/20/2021	K21-0100									
			2/22/2021	K21-0104									
			2/22/2021	K21-0106									
			2/25/2021	K21-0113									
			2/27/2021	K21-0114									
		Medical											
		Kemah											
				Count 23									
			2/1/2021	K21-0064	Seizures			3:14:00 AM	3:35:00 AM	3:48:00 AM	2.00	23.00	Medical
			2/3/2021	K21-0065	Malaise			9:05:00 AM	9:25:00 AM	9:42:00 AM	1.00	21.00	Medical
			2/4/2021	K21-0067	Alcohol use			2:56:00 AM	3:17:00 AM	3:27:00 AM	1.00	22.00	Medical
			2/4/2021	K21-0068	Behavioral/psychiatric episode			7:42:00 AM			1.00		Medical
			2/4/2021	K21-0069	Acute Respiratory Distress (Dyspnea)			9:42:00 AM	10:09:00 AM	10:34:00 AM	1.00	28.00	Medical
			2/4/2021	K21-0070	Syncope / Fainting			4:48:00 PM			1.00		Medical
			2/6/2021	K21-0074	Altered Mental Status			8:17:00 AM	8:39:00 AM	8:52:00 AM	1.00	23.00	Medical
			2/11/2021	K21-0079	Altered Mental Status			8:59:00 PM	9:15:00 PM	9:35:00 PM	2.00	18.00	Medical
			2/14/2021	K21-0082	Palpitations			8:04:00 AM	8:22:00 AM	8:35:00 AM	1.00	19.00	Medical
			2/20/2021	K21-0098	Hypotension			11:23:00 AM	12:04:00 PM	12:30:00 PM	2.00	43.00	Medical
			2/20/2021	K21-0099	Syncope / Fainting			2:22:00 PM			2.00		Medical
			2/20/2021	K21-0101	No Complaints or Injury/Illness Noted			7:59:00 PM			2.00		Medical
			2/22/2021	K21-0103	Alcohol use			1:59:10 AM			0.17		Medical
			2/22/2021	K21-0105	Abdominal Pain			12:02:00 PM	12:17:00 PM	12:31:00 PM	1.00	16.00	Medical
			2/23/2021	K21-0107	Pain (Non-Traumatic)			12:22:00 AM	12:40:00 AM		1.00	19.00	Medical
			2/23/2021	K21-01089	Abdominal Pain			10:40:00 AM			1.00		Medical
			2/24/2021	K21-0109	Generalized Weakness			3:18:20 PM	3:28:00 PM		0.33	10.00	Medical
			2/24/2021	K21-0110	Heat Exhaustion			5:10:00 PM			11.00		Medical
			2/25/2021	K21-0112	Generalized Weakness			11:06:00 AM	11:22:00 AM	11:38:00 AM	1.00	17.00	Medical
			2/27/2021	K21-0115	Overdose - Unspecified			10:44:00 AM	10:53:00 AM	11:14:00 AM	1.00	10.00	Medical
			2/27/2021	K21-0116	No Complaints or Injury/Illness Noted			11:51:00 PM			1.00		Medical
			2/28/2021	K21-0117	Chest Pain / Discomfort			11:06:00 AM	11:23:00 AM	11:51:00 AM	1.00	18.00	Medical
			2/28/2021	K21-0119	No Complaints or Injury/Illness Noted			11:45:30 PM	11:55:00 PM		0.50	10.00	Medical
		Medical & Trauma											
		Kemah											
				Count 1									
			2/12/2021	K21-0080	Injury	Falls	Fall on same level	10:18:10 AM	10:37:00 AM	10:59:00 AM	0.17	19.00	Trauma
		Trauma											
		Kemah											

			Count 11									
		2/3/2021	K21-0066	Acute Pain, not elsewhere classified	Falls	Fall on same level	2:46:00 PM	3:04:00 PM	3:24:00 PM	2.00	20.00	Trauma
		2/4/2021	K21-0071	Injury	Motorized Vehicle Accident	Auto traffic accident injures occupant	11:41:30 PM	11:57:00 PM	12:12:00 AM	0.50	16.00	Trauma
		2/5/2021	K21-0072	Injury	Falls	Fall on same level	12:17:00 PM	12:29:00 PM	12:49:00 PM	3.00	15.00	Trauma
		2/5/2021	K21-0073	Injury	Motorized Vehicle Accident	Auto traffic accident injures occupant	7:08:30 PM			0.50		Trauma
		2/5/2021	K21-0073	Acute Pain, not elsewhere classified	Motorized Vehicle Accident	Auto traffic accident injures occupant	7:08:30 PM			0.50		Trauma
		2/5/2021	K21-0073	Injury	Motorized Vehicle Accident	Auto traffic accident injures occupant	7:08:30 PM			0.50		Trauma
		2/7/2021	K21-0076	Injury of Lower Leg	Assault	Assault by other means	2:15:00 PM	2:35:00 PM	2:55:00 PM	13.00	33.00	Trauma
		2/10/2021	K21-0078	Injury of Wrist, Hand, or Fingers	Sharp Objects	Cut/Laceration	1:03:00 AM			0.00		Trauma
		2/21/2021	K21-0102	Injury	Assault	Assault with bodily force	2:46:00 AM			2.00		Trauma
		2/25/2021	K21-0111	Headache	Falls	Fall on same level	10:33:00 AM	10:42:00 AM		1.00	10.00	Trauma
		2/28/2021	K21-0118	Alcohol use	Motorized Vehicle Accident	Auto traffic accident injures occupant	8:45:00 PM	9:10:00 PM		4.00	29.00	Trauma

City Administrator Report

March 3 - 16, 2021

Fifty-one weeks into the Coronavirus (COVID-19) pandemic, numbers have stabilized locally.

122 confirmed cases attributed to Clear Lake Shores, 114 recovered, 8 active, no deaths. Masks encouraged in city offices, cleaning practices continue, social distancing encouraged, occupancy limits are normal.

The Texas Department of State Health Services (DSHS) is currently reporting a total of 2,351,382 (up 64,000 in two weeks) cases of COVID-19 in the State of Texas. Statewide 2,565,382 have recovered, there are 374,812 possible cases and 45,700 have died. Galveston County is #15 (down 1) in the county standings based on total confirmed cases (31,063) – up 1000 in two weeks.

COURT PROCESS: Municipal Court will go virtual in March and April. May return to in person if judge makes decisions to do so with OCA and EMD approval.

PARKS: TPWD Grant is at committee and new software changeover. Palms trimmed. Unknown now how they will fare. In one-two years the impact will be known. Current tree inventories have skyrocketed and new palms are being brought in from other areas, primarily Arizona, New Mexico and Mexico. There is a certain amount of wait and see to this event. FEMA funding only allows for immediate emergency measures to protect infrastructure (utilities, buildings, etc), palm trees are not considered this. Insurance coverage specifically forbids claims due to temperature extremes.

Sunset/Lowell Brown Fishing Pier – RFP is nearly complete. A few revisions and it will be ready for council at next meeting. This is an important project and the proposal documents reflect that. It is about 20 pages in length, minus any illustrations/pictures. This format will be re-useable

Pool Plastering has been moved back to start March 28. This is due to material shortage with the concrete coping. The plan is to have his completed mid to late April following startup.

Kayak Dock is nearly complete, final preparation in works for this weekend's use during the shoreline cleanup. Some additional rub strips are needed and PW will likely replace the fold down portion after this weekend.

DANIEL DROR AVE: No update. 100% plans complete. **BIRCH ROAD BRIDGE:** Pouring approach on west side, bridge deck is in, making good progress. I believe they will finish after the anticipated April 1 finish date. Utility conflicts and weather related delays pushed this out. Nothing significant.

ECONOMIC DEVELOPMENT CORP (EDC): New crosswalk signalization is complete. Pedestrian bridge along CLR over Jarboe is being looked at for feasibility, evaluation of future replacement and maintenance will be looked into as a recurring future cost.

EDC voted to approve East parking Lot lighting not to exceed \$30,000. Expected monthly cost of \$80 for electric.

PLAZA TEN 06: Still evaluating possible surface treatments for West Lot. Will look at possible lighting similar in design and construction of East Lot.

CITY HALL: When weather is cooperative, will power wash and paint city hall roof. Surface preparation and painting temperature seem to be critical for longevity. It is direct to metal (DTM) paint in white. We will also box in and insulate susceptible piping to prevent any cold weather-related damages in the future.

PUBLIC WORKS: Was busy repairing damage from the freeze. We will take further measures at Clubhouse to prevent further cold weather damages.

Assembling documents for excess/surplus equipment.

OTHER ITEMS:

Public Hearing regarding 419 Oak Rd Fire. Materials in packet. Drainage ditch in front of address will be opened due to neutralization of green liquid held in rear portion of property in pond area.

Police in-car and body cams are being installed this week. IT confirmed that the system is separate/isolated from our conventional network and the internet and that is preferred for evidence integrity and unlawful access.

Entry canopies replaced at Clubhouse, take a look on the way out if you did not notice.

Researching possibly replacement of icemaker and refrigerator in clubhouse. Both are problematic and costs of repair visits and parts make new appliances more desirable.

I received the report regarding palms in Town Center. We had one failure and have others that must be monitored closely based the on-site inspection. I've reached out to the arborist for some clarification. A treatment plan for 19 palms for borers and termites is \$4,400. I will review the budget considerations as we work through our planned budgeted items. As a maintenance issue this is not an allowable EDC expense. ***This is being held as we evaluate palms following the freeze***

MARCH 20 9am, Jarboe Park – Shoreline Cleanup courtesy of the Civic Club and Yacht Club. Keep CLS and surrounding waters beautiful!

AGENDA ITEMS:

Discussion of Lowell Brown Park Bulkhead and Fishing Pier RFP# 2021-01PARKS. Confirm specifications to quote. Wood structure on pier and wood surface, stainless steel hardware on top, HDG on lower members. Quote option of composite decking. Quote bulkhead sheathing T&G wood, auger anchors, HDG hardware, and also composite (vinyl or fiberglass) materials for longevity/maintenance/appearance.

Roads and Drainage Report to City Council - 3/16/2021

This report covers the Roads and Drainage status since the January 19th council meeting.

Roads and Drainage held a workshop on January 26th.

We began work on developing detailed street construction drawings / criteria for CLS.

Alex Scanlon presented details on drawings he created intended for a specification document.

In addition, he contacted 2 engineering companies that may be interested in creating a formal document that can be used in a bid packet for pavement contractors.

Regarding inspection during a roads project execution, we recognized that CLS could not manage inspection in-house and would need to be contracted out.

Master Drainage Plan topics were also discussed.

Best practice for use of pavers.

Jeff Terrell presented details on a best practice for the use of pavers at CLS.

Best practice for the use of stormwater culvert pipe.

Thomas Haaland presented details on the use of Reinforced Concrete Pipe (RCP) as compared to High Density Polyethylene Corrugated Culvert Pipe (HDPECCP) - for use as storm water culverts.

We agreed that both should be used provided they are installed per code.

Height of slab above adjacent road centerline.

Establishing a slab height above the centerline of the adjacent road has an impact on local flooding of our neighbors. Alex opened this topic for discussion with the understanding that there will be much work to get it right for CLS.

Other issues outside our workshop.

Pavement Management Group (PMG)

We got a preliminary copy of the PMG Pavement Management Program for review.

The spreadsheet layout and street assessment were discussed.

We were happy to learn that their ranking of the worst roads in the city was similar to ours and that Blue Point and Narcissus are good candidates for our next roads project.

PMG estimated they are at 80% complete and a turnover can be expected by the week of March 22.

Field meeting with Derk Harmsen Construction Co.

We met onsite at Blue Point, Narcissus from North Shore to South Shore and Juniper from Clear Lake Road to Oak.

At that time Mr. Wiggington made assessments and recommendations as to the repair and alternatives available for each of the roads.

He will revise his bid package and include additional features we discussed.