



## Meeting Minutes City Council

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Tuesday, June 4, 2019

7:00 p.m.

Clubhouse - 931 Cedar

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**Present:** Mayor Kurt Otten, Councilwoman Amanda Fenwick, Councilwoman Christy Lyons, Councilwoman Jan Bailey, Councilman Mark Thompson, Councilwoman Angie Terrell, City Administrator Brent Spier, Chief Kenneth Cook, City Secretary Christy Stroup, Building Official Kevin Harrell

**Absent:** Fire Chief Brent Hahn

### 1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor Otten called meeting to order at 7:00 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. ADMINISTER STATEMENT OF OFFICER AND OATH TO INCOMING ELECTED/RE-ELECTED OFFICIALS.

**Mayor Otten** administered Statement of Officer and Oath of Office to re-elected Councilwoman Christy Lyons. (Mark Thompson took Oath and confirmed State of Officer in City Hall with City Secretary Christy Stroup)

### 4. PROCLAMATION PROCLAIMING JUNE 4, 2019 AS KELLY BOULTINGHOUSE DAY FOR HER ACHIEVEMENT OF 2018-2019 INTERMEDIATE TEACHER OF THE YEAR AND FINALIST FOR CLEAR CREEK I.S.D. SECONDARY TEACHER OF THE YEAR.

**Mayor Otten** presented Kelly Boultinghouse with Proclamation for proclaiming June 4, 2019 as Kelly Boultinghouse Day for her Teacher of the Year accomplishment.

### 5. PUBLIC HEARING:

**NOTICE OF VIOLATION FOR PROPERTY LOCATED AT 815 GROVE ROAD, CLEAR LAKE SHORES, TEXAS FOR VIOLATION OF CITY MUNICIPAL CODE SECTION 78-167 – JUNK VEHICLE AS PUBLIC NUISANCE AND CITY MUNICIPAL CODE SECTION 78-169 – ABATEMENT OF NUISANCE; REMOVAL FROM PUBLIC OR PRIVATE PROPERTY; DISPOSAL.**

*Building Official Kevin Harrell* reported that the property located at 815 Grove Road is in compliance

**6. REPORTS FROM COUNCIL:**

**Councilwoman Bailey** – No report.

**Councilwoman Fenwick** – sent an e-mail to council concerning updated bill tracker from legislature; handout for Facebook activity from city website (attached); July 10<sup>th</sup> is the GCMA meeting; Freedom Day is June 29<sup>th</sup> and need volunteers.

**Councilwoman Lyons** – CLEMC will have a board meeting on June 12<sup>th</sup> concerning budget.

**Councilwoman Terrell** – Raised a little over \$2,000 for scholarship fund; thanked Teresa Otten for all the effort she has put into The Islander and has appreciated her involvement with the city staff and the articles being submitted for publishing.

**Councilman Thompson** – No report

**Mayor Otten** – Drohr Road is being finalized; Hwy 146 construction is working with Kemah concerning golf cart access; the city lights are being refurbished and painted; would like to have a monthly meeting with the residents to provide updates on city projects; working with Lighthouse and recording of meetings; condolences to Councilwoman Terrell on the recent passing of her mother; Hurricane Awareness meeting is June 5<sup>th</sup> at Clubhouse.

**7. STAFF REPORTS:**

**City Administrator Brent Spier:** Report attached

**Chief Cook:** Stats for May 2019: provided update on ticket writers (report attached)

**Building Official Kevin Harrell:** Stats from last meeting: 311 Narcissus is secure and after further research has found other mortgage companies attached to the property and the city is required to give them a 90 days' notice of action; City Council will take action on 311 Narcissus at the August 6<sup>th</sup> meeting.

**Fire Chief Brent Hahn:** Absent

**5. PUBLIC COMMENTS:**

Lynda Michaelski – 126 East Shore Drive: spoke concerning drainage issues and are grateful that the city officials are enforcing the drainage ordinance.

Charles Dillon – 218 Narcissus: spoke concerning the roads and drainage issues on the island that came from the last project.

Paul Robinson – Texas Outlaw Challenge: Would like the City of Clear Lake Shores to consider a resolution supporting a no wake zone on for June 19, 2019 for the Outlaw Challenge.

**6. NEW BUSINESS:**

**CONSENT AGENDA:**

- a. Check Register 05/16/19 – 05/29/19
- b. Waterfront Transfer B-052A: Chalfant to San Miguel
- c. Investment report for quarter ending 03/31/19

**Councilwoman Bailey** made motion to accept consent agenda  
**Councilwoman Fenwick** second the motion

**MOTION PASSED UNANIMOUS**

**7. COUNCIL BUSINESS – Discussion and Possible Action may be taken on the following items:**

- a. **ORDINANCE 2019-01: AN ORDINANCE ADOPTING AMENDMENT NO. 3 TO THE ORIGINAL BUDGET OF THE CITY OF CLEAR LAKE SHORES, TEXAS FOR THE FISCAL YEAR 2017-18, ADJUSTING AMOUNTS IN EXPENDITURE ACCOUNTS OF THE GENERAL FUND DUE TO**

**UNFORESEEN SITUATIONS; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING THERETO.**

*Councilwoman Terrell had questions concerning the budget compared to the amendment presented.*

Mayor Otten suggested tabling the Ordinance until next meeting to get clarification from our City Accountant.

Councilwoman Fenwick made to motion to table until next council meeting  
Councilwoman Bailey second the motion

**MOTION PASSED: 4 yes and Councilman Thompson abstained**

**b. Presentation of the audited financial statements for fiscal year ended September 30, 2018.**

Robert Belt with Belt, Harris and Pechacek, LLLP presented the Audit and informed the City Council that they have presented an unmodified opinion of the city audit which is the highest rating a firm can get. He went over the fund balance for year end and stated the city was in excellent shape.

Mr. Belt also stated that this report is based on the adoption of Ordinance 2019-01 and should not be released until City Council has approved the ordinance.

**c. Action from Public Hearing for property located at 815 Grove Road, Clear Lake Shores, Texas for violation of city municipal code section 78-167 – junk vehicle as a public nuisance and city municipal code section 78-169 – abatement of nuisance; removal from public or private property; disposal.**

**No Action Taken**

**d. Ordinance 2019-02: An Ordinance of the City of Clear Lake Shores, Texas amending Chapter 2, Administration, Sec. 2-27 Standing and Special Committee guidelines of the Code of Ordinances of the City of Clear Lake Shores, Texas by adopting the modification of the five member structure of the Roads and Drainage Committee.**

*Mayor Otten* stated that the change in ordinance would be to have one member of EDC, one member of City Council and three individuals appointed by City Council.

Councilwoman Lyons made motion to approve Ordinance 2019-02  
Councilwoman Fenwick second the motion

**MOTION PASSED UNANIMOUS**

**e. Appoint a member of the City Council to the Roads and Drainage Committee**

Mayor Otten made recommendation to appoint Councilman Thompson

Councilwoman Fenwick made motion to accept recommendation  
Councilwoman Bailey second the motion

**MOTION PASSED UNANIMOUS**

**f. Appoint a member of the City Council to the Waterfront Compliance Committee.**

Mayor Otten made recommendation to appoint Councilman Thompson

Councilwoman Lyons made motion to accept recommendation  
Councilwoman Terrell second the motion

- g. Consider and approve the formation of a special committee to address the parking at Shell Bottom Park boat ramp and report back to City Council with recommendations.**

**Mayor Otten** made recommendation that the committee should be made up of six members – 2 police officers, 2 citizens and 2 councilmembers.

**Mayor Otten** stated that Mike Pons and Jay Fenwick have volunteered to serve as citizens on the committee and Officer Sawyer and Officer Blanchard with the CLSPD have volunteered to serve as well.

**Councilwoman Lyons and Councilwoman Terrell** stated that they would serve on the committee as City Council members.

**Councilwoman Terrell** made motion to accept recommendations  
**Councilwoman Lyons** second the motion

**MOTION PASSED UNANIMOUS**

- h. Review and approve debris removal contract**

**City Administrator Brent Spier** presented a spreadsheet outlining the bids received and his recommendation is to stay with Crowder Gulf as the cities debris removal.

**Councilwoman Fenwick** made motion to approve Crowder Gulf as the City of Clear Lake Shores Debris Removal vendor  
**Councilwoman Bailey** second the motion

**MOTION PASSED UNANIMOUS**

- i. Approve bid for Clear Lake Road Public parking lot**

**Councilwoman Fenwick** made motion to approve bid Teamwork Construction Services, Inc. for parking lot  
**Councilwoman Terrell** second the motion

**MOTION PASSED UNANIMOUS**

- j. Change in fee schedule for building permit fees.**

**City Administrator Brent Spier** made recommendation of fee changes as follows:

<b>Residential Constr. New permit – Single Family:</b>	<b>\$2.00 per sf</b>
<b>Residential Constr. Plan Review – Single Family:</b>	<b>\$1.00 per sf</b>
<b>All other construction/demo -</b>	<b>\$1.00 per sf</b>
<b>Plan check fee -</b>	<b>50% of permit fee</b>

**Councilwoman Terrell** made motion to approve fee schedule with changes  
**Councilwoman Lyons** second the motion

**MOTION PASSED UNANIMOUS**

- k. Approve purchase of two (2) Trek Police E-Bicycles.**

**Chief K. Cook** went over the needs and request of the purchase of two e-bikes for police department. The funds used to purchase the bikes would be the allotted FEMA monies issued to replace the bicycles lost in Hurricane Harvey which is a total of \$6,665.10 and the remainder would be paid for out of donations that have been secured by the police department. The total for the two bikes is approximately \$7,000

cont'd 06/04/19 minutes

plus the cost of outfitting the bikes with the police decals, helmets for the officers and a 2 year Ultimate Care Plan.

Councilwoman Fenwick made motion to accept the purchase as requested  
Councilwoman Bailey second the motion

**MOTION PASSED UNANIMOUS**

**I. Ordinance to amend Code of Ordinances Chapter 2 "Administration" Article II – City Council, Section 2-21 – Time and Place of meetings".**

Councilwoman Fenwick discussed with city council that the current ordinance for the agenda order is not what we are currently using. She is requesting that the ordinance be changed to reflect the current order of the agenda outline.

City Administrator Brent Spier made a suggestion to change the meeting time to 6:30 pm instead of 7:00 pm since we were amending this portion of the ordinance.

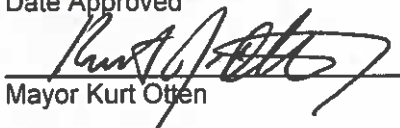
Councilwoman Fenwick made motion to approve the amendments as stated  
Councilwoman Terrell second the motion

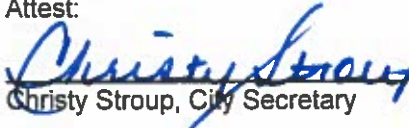
The Ordinance will be presented with changes at the next council meeting for approval

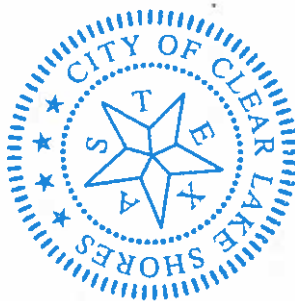
**MOTION PASSED UNANIMOUS**

**7. ADJOURNMENT:**

Mayor Otten adjourned the meeting at 8:30 p.m.

6-18-19  
Date Approved  
  
Mayor Kurt Otten

Attest:  
  
Christy Stroup, City Secretary



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May 6 - June 2



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May 6 - June 2

333

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May 6 - June 2

31

Page Previews ▲138%



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May 6 - June 2

30

Page Likes ▼8%



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May 6 - June 2

4,142

People Reached ▼27%



Recommendations

May 6 - June 2



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Post Engagements

May 6 - June 2

5,265

Post Engagement ▲100%



Videos

May 6 - June 2

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May 6 - June 2

34

Page Followers ▲9%



City Administrator Report

May 22 – June 4, 2019



There may some overlap in this report with other reports.

**ROADS/DRAINAGE:**

**POOLS/PARKS:** We have started the new pool season, I remind residents to follow the rules they agreed to when signing up. The pool management company has been placing lifeguards at the pool. I am developing a manual for them to use as a resource guide to some of the known issues they face.

We have a pool pump that is kicking out indicating an issue. It will likely have to be replaced. I will get a quote. Also, the keypad/mag lock on the gate stopped working this weekend. It also appears to have an issue, I've been told ants can short them out. We have also replaced the backup battery on the unit.

Pool Committee requests approval for library boxes to be placed at the Pool and Deep Hole parks. This would be run with volunteers and donated books. They have requested some funding to help with construction/ installation of the boxes. The cost per unit is around \$450 with shipping and there are benefactors willing to donate.

**ECONOMIC DEVELOPMENT CORP (EDC):** The land lease with Aspen Investments, LLC has been completed. I would recommend that the Council approve the construction contract with Teamwork Construction Services, Inc in the amount of \$149,878.85. All six (6) bids were reviewed by Cobb-Fendley and they recommend the selection of Teamwork Construction Services, Inc. (Letter in packet).

**PLANNING/ZONING:** None.

**WATERFRONT COMPLIANCE:** None.

**PLAZA TEN 06:** None.

**CITY HALL: June 5 at 6:30P Hurricane Awareness Meeting at the Clubhouse. NWS will be on hand along with Galveston County EMC and local responders.**

Prior to the effective date of effect August 15, 2019, we will be making changes to our ordinances to support FEMA FIRM map changes to BFE. We have identified changes to our current ordinances that will need to be approved. Changes to the ordinances have been identified and they will be presented for approval well before the adoption date. This will also affect some development standards and the Building Official is working with current permit holders on this and advising builders of the upcoming changes.

Four (4) bids were received for debris removal. Each was tabulated individually and compared to each other. Due to the unknown nature of storm events and whether we will need more tree work than debris removal or structures rendered safe, it is an educated guess at the needs of the city. I guessed that tree damage would be likely and possible abandoned vehicles or vessels (we are surrounded by marinas). I believe due to our location and passage and enforcement of our building code, structural damages would be less than similar-sized and population dense coastal communities. In the future, I think I will use HGAC approved contractors with specific changes for our unique community.

PUBLIC WORKS: Wiring replaced between old and new lampposts. We have been raking trash from the water as high tides seem to help us in this regard.

Other Items:

Today Tuesday and tomorrow, Wednesday I will complete training on Community Planning and Hazards as well as completing a table top exercise with Kemah.

Additionally, on Friday I met with Galveston County Emergency Management personnel Boyce, Norman and Tafuri and EMC Hahn. At their suggestion I am planning on no-cost training regarding Hurricane Readiness for Coastal Communities and HURREVAC-Extended Advanced. These will take place in Jersey Village and will not be overnights. June 19 and 20, if I can complete IS-324a on-line as a prerequisite, a 10 hr course.

I've met with Chief Cook and he is in the process of modifying Police Policy Manual and making sure it is updated and reflects current policy. Previously this was approved by council, however there is no documentation to support it. This will be submitted for council review/approval.

Ron Cox Consulting will be interviewing individually the mayor, city council members and economic development corporation members regarding visioning and updated strategic plan adoption. Mr. Cox has two spots available one July 19 @ 3p and one July 22 @ 4p. Awaiting one person to choose and then we will set the full-day workshop either July 26 or 27.

TX-HB852 (2019-2020) was passed and made effective immediately upon signature of the Governor on May 21, 2019. This law prohibits the use of value based fees for construction, permits and reviews as has been the standard across the state. Details regarding its passage is in your packet. Upon review of our fee structure we calculated that a typical value based permit was approximately \$1.87 per sq. ft. of the tested properties. A fee of \$2.00 a sq. ft is proposed in the following structure at the bottom of this report. Commercial permitting was also adjusted but upon further review I would recommend that the commercial valuation remain in place as it currently. We also will continue to gather values of construction as we live in FEMA zone that would require such information.

**AGENDA ITEMS:**

**Recommend Crowder-Gulf for debris removal services via contract. Crowder-Gulf is a reputable company and one the city has used before for post-storm cleanup. \*\*\*council action\*\*\***

**Recommend approval of Teamwork Construction Services, Inc. contract in amount of \$149, 878.85 for the 2094/Clear Lake Road Parking lot. \*\*\*council action\*\*\***

**Recommend approval of the following changes to the fee structure under building permit fees:**

**Residential Construction Permit New – Single Family \$2.00/sq. ft.**

**Residential Construction Plan Review – Single Family \$1.00/sq. ft.**

**~~Commercial Construction Permit up to 100,000 sq. ft. \$ .40/sq. ft. strike line~~**

**~~Commercial Construction Permit over 100,001 sq. ft. add \$1.20/sq. ft. strike line~~**

**~~Commercial Construction Plan Review 50% of permit fee strike line~~**

**Other Construction/Demo \$1.00/ sq. ft.**

**Plan Check Fee 50% of permit fee.**

**\*\*\*council action\*\*\***



# CLEAR LAKE SHORES POLICE DEPARTMENT

1006 South Shore Dr.  
Clear Lake Shores, TX 77565

Kenneth G. Cook  
Chief of Police

June 04, 2019

**Subject: Report for Council Meeting**

## Training:

Last month, I attended the Texas FBI Command College course during the week of May 20<sup>th</sup> to 24<sup>th</sup>, 2019 located at the Prairie View A&M University.

This was an overall outstanding training course – Excellent instructors, great subject material, and a wonderful networking opportunity for connecting with officers from many other Texas agencies.

Thanks again for allowing me to attend.

## Misc. Info:

Superior thinks they've finally figured out all the printing issue problems with our ticket writers. Our printer was returned and then later re-installed into its patrol vehicle just this past Friday. 3coast (our IT service) is scheduled to work with Sgt. Behler tomorrow afternoon to test the printer settings, and if all goes well, will schedule coming out to CLSPD and update all our other MCT's. I will advise everyone about the ticket writer progress at our next council meeting.

**STATS:** For the month of May 2019, the Police Department:

Traffic Contacts: 569

Driving While Intoxicated: 2

Narcotic Related: 17

Burglary of a Motor Vehicle: 1

Theft: 8

Unlawful Carry a Weapon: 1

Total Arrests: 38

Bar Checks: 16

Residential Checks while on Vacation Watch: 126

Business Checks: 2,737

*"That's all I have for tonight".*

Chief K.G. Cook