



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, August 20, 2019

6:30 p.m.

Clubhouse - 931 Cedar

Present: Mayor Kurt Otten, Councilwoman Amanda Fenwick, Councilwoman Jan Bailey, Councilwoman Angie Terrell, Councilwoman Christy Lyons, Councilman Mark Thompson, City Administrator Brent Spier, Chief K. Cook, City Secretary Christy Stroup, Fire Chief Brent Hahn

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:

POSSIBLE REVOCATION OF WATERFRONT LEASES FOR NON-PAYMENT.

Mayor Otten stated that all the waterfront leases listed for revocation except for B-017, B-027b and C-078 have been paid current.

The son for Mr. Efrain Franco, C-078 leaseholder, was in attendance and stated that Mr. Franco will pay lease by tomorrow. He has recently moved, and mail is going to a different address.

No other comments were made

Mayor Otten closed Public Hearing

4. REPORTS FROM COUNCIL:

Councilman Thompson – No report

Councilwoman Lyons – No report

Councilwoman Terrell – Attend the Animal Bayou Services meeting and reported that the new animal shelter has a projected open date of December 16th and an increase of approximately \$700.00 will be added to our annual bill.

Councilwoman Bailey – Attended the E.M.S. Board meeting.

Councilwoman Fenwick – attended the E.S.B. meeting – an item on the agenda tonight up for discussion and action concerning the contract with the Galveston County Health District and that a small portion of the contract states that Kemah Volunteer Fire Department fund \$120,000 of that contract and for the record Councilwoman Fenwick voted against that and feels that Galveston County should pay for it since they are using our equipment but is in favor of partnering with Galveston County for our emergency services. Budget for the E.S.B. was also discussed.

Mayor Otten – Monitor at the Clubhouse for patrons to view the agenda and some of the documents from the City Council agenda packet; Grove Road under the bridge – traffic access with a round-about; still working on golf cart

cont'd 08/20/19 minutes

path under Hwy. 146 and is being held up due to safety concerns; met with Mayor of Kemah along with engineers for Dror Road and looking at amending the agreement and Galveston County will pay up to \$500,000 and the city will pay \$300,000.

5. STAFF REPORTS:

City Administrator Brent Spier: Report attached

Chief Cook: Report attached

Building Official Kevin Harrell: Stats since last meeting; 311 Narcissus demo should happen in September – gas lines to be removed on the 22nd of August.

Fire Chief Brent Hahn: Stats for July and 1 volunteer has been brought on board.

6. COMMITTEE REPORTS:

Parks and Pool: Chris Richardson reported at last meeting they discussed painting the pool house and installation of gutters; accountability of members pertaining to small kids; oversized parties; book boxes located at Deep Hole Park and the Pool.

Waterfront Compliance: Brad Saltaformagio reported that walk through has been completed and should have a report for City Council at next meeting.

Planning and Zoning: Patrick Michaelski reported that they have a meeting next week for a replat

Zoning Board of Adjustments: Patrick Michaelski stated that they are having a meeting sometime in September

Roads and Drainage: Richard Sowrey reported that they are still meeting on the next roads to address; a concrete box is being placed at the corner of Ivy and Narcissus to help secure the road on the turn.

7. ECONOMIC DEVELOPMENT CORPORATION: No Report.

8. CIVIC CLUB: (accidentally left off the agenda)

Teresa Otten - Teresa Otten reported that back to school pool party is this weekend and all kids are welcome even if you do not have a pool membership; Civic Club made a \$500 donation to Stewart Elementary

9. SCHEDULED VISITOR: Felix Flores – Galveston County Constable Precinct 1 candidate spoke of his experience and his opportunity to run for Constable.

****COUNCILMAN THOMPSON excused himself from the remainder of the meeting**

10. PUBLIC COMMENTS:

Tom Say appeared on behalf of Efrain Franco concerning payment of waterfront lease

11. NEW BUSINESS:

CONSENT AGENDA:

- a. Check Register: 08/01/19 thru 08/14/19
- b. Council Meeting Minutes 08/06/19
- c. Council Meeting Minutes 06/18/19
- d. Council Meeting Minutes 07/02/19

Councilwoman Lyons made motion to approve Consent Agenda
Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

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

a. Appointment of 2 members to the Parks and Pool Committee.

Councilwoman Fenwick made motion discuss item a
Councilwoman Bailey second the motion

Brent Spier reported that the Parks and Pool Committee recommendations were Pam House and Melissa Stauffer

Councilwoman Terrell made motion to approve recommendations
Councilwoman Lyons second the motion

MOTION PASSED UNANIMOUS

b. Approval to proceed with Interlocal Agreement for Galveston County Health District to provide EMS Services.

Councilwoman Bailey made motion to accept Interlocal Agreement with Galveston County Health District
Councilwoman Terrell second the motion

Councilwoman Fenwick stated her objection for Kemah Volunteer Fire Department providing start-up costs of \$120,000 to Galveston County for use of KVFD ambulance. She believes this should be funded by Galveston County.

MOTION PASSED – 3 yes with 1 opposed – Councilwoman Fenwick

c. Reschedule October 1, 2019 City Council meeting to October 2, 2019 due to National Night Out.

Councilwoman Fenwick approved motion to reschedule
Councilwoman Lyons second the motion

MOTION PASSED UNANIMOUS

d. Revocation of Waterfront Leases due to non-payment: A-002B, B-017, B-027B, C-062, C-067, C-078, D-100B, D-100G, F-1.35B and F-142.

Due to the changes made during the Public Hearing the only leases in question are B-017, B-027B and C-078.

Councilwoman Terrell made motion to Revoke waterfront leases B-017, B-027B and C-078
Councilwoman Lyons second the motion

Mr. Franco, leaseholder for C-078 was present and stated that he would pay immediately.

Councilwoman Terrell amended motion to revoke waterfront leases B-017 and B-027B
Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

e. Approve proposal for pier removal in anticipation of auction of waterfront leases E-122A and E-122B.

Councilwoman Fenwick made motion to accept proposal for pier removal
Councilwoman Terrell second the motion

MOTION PASSED UNANIMOUS

f. Shell Bottom Boat Ramp Committee to the Mayor.

Councilwoman Terrell went over the recommendations from the committee (report attached)

- g. ORDINANCE NO. 2019-07: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS BY AMENDING SECTIONS 66-138: PROHIBITED ACTS, OF ARTICLE V: CITY PARKS AND SECTION 66-140: SHELL BOTTOM PARK, JARBOE BAYOU PARK: ADDITIONAL REGULATIONS, OF ARTICLE V: CITY PARKS OF CHAPTER 66: STREETS, SIDEWALKS AND PUBLIC PLACES; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED**

\$200.00 FOR ANY VIOLATION OF THIS ORDINANCE, WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

Councilwoman Fenwick made motion to approve Ordinance 2019-07
Councilwoman Lyons second the motion

MOTION PASSED UNANIMOUS

- h. ORDINANCE NO. 2019-08: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS BY ADDING SECTIONS 78-102: NO PARKING – RIGHT OF WAY ADJACENT TO CITY STREETS, TO ARTICLE V: STOPPING, STANDING AND PARKING OF CHAPTER 78: TRAFFIC AND VEHICLES; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$200.00 FOR ANY VIOLATION OF THIS ORDINANCE, WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.**

Brent Spier stated that there were sections of this ordinance that needed clarification

Councilwoman Lyons made motion to table
Councilwoman Fenwick second the motion to table

MOTION PASSED UNANIMOUS

- i. Discussion of Fiscal Year 209 2020 Annual Budget**

Councilwoman Bailey made motion to postpone discussion to have more time to review
Councilwoman Terrell second the motion

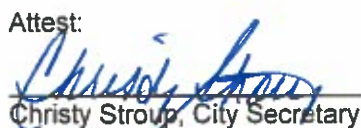
MOTION PASSED UNANIMOUS

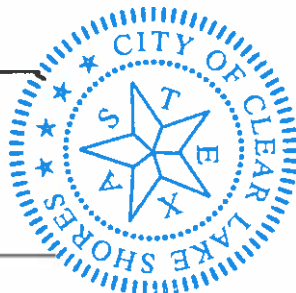
13. ADJOURNMENT:

Mayor Otten adjourned the meeting at 8:00 p.m.

Date Approved: 9/16/2019


Mayor Kurt Otten

Attest:

Christy Stroup, City Secretary



CLEAR LAKE SHORES POLICE DEPARTMENT

**1006 South Shore Dr.
Clear Lake Shores, TX 77565**

**Kenneth G. Cook
Chief of Police**

August 20, 2019

Subject: Report for Council Meeting

Training Conference recently attended:

This year's (RIOT) Robbery Investigators of Texas conference was Outstanding. Asst. Chief Donaldson, Lieutenant "TK" Keele and I, attended this conference held in Frisco TX at the Omni Frisco Hotel from August 7th until August 9th, 2019. The speakers were great, and all the subjects spoken about was very interesting. Thank you for allowing us to attend this training conference.

E-ticket writer Update:

Happy to report 'much better' progress made since last month's council meeting update. Thanks to all the hard work Dennis (3coast IT) did, as he figured out and fixed all the printing issues that we've had for more than a year. We can now successfully print out a citation completely – finally..

However, just a few of the necessary 'check boxes' on the citation won't check off. Superion is currently working on that software issue and they will notify Dennis with 3coast to update our MCT's as soon as they have that issue fixed.

Good Police Work:

At the recent "Pizza with Police" Event, Sgt. Behler gave a very good demonstration explaining the recovery of a stolen vehicle, narcotics arrest & seizure of counterfeit money with fake ID material, occurred August 14th, 2019 at the Home Depot parking lot. Then, just (2) two days later on August 16th, 2019, Corporal Flores seized more counterfeit money during another narcotics arrest in the Home Depot parking lot. Due to one of those suspects extensive criminal history, the Galveston County DA's office set that persons bond at \$100,000.00 dollars.

GOOD POLICE WORK to both Sergeant Behler & Corporal Flores for getting more counterfeit money and narcotics, off the streets of Clear Lake Shores..!!

"That is all I have for tonight"..

Chief Cook

City Administrator Report

August 7 - 20, 2019

Felix Flores (409-682-0996), scheduled visitor, will be in attendance tonight.

There may some overlap in this report with other reports.

ROADS/DRAINAGE: I have been reviewing streets in anticipation of crack sealing streets in an effort to get improved longevity from pavement.

POOLS/PARKS: Continuing ongoing maintenance at parks. Submerged pool lights were re-wired and one needs to be completely replaced. We will plan on having tile work done when the busy swim season is completed. Civic Club will have Back to School Swim Party August 25th, 4-6P, extra lifeguards on duty.

ECONOMIC DEVELOPMENT CORP (EDC): CLR Parking Lot project nears phase one completion. We will need to return to EDC/ CC for possible additional money. There may be enough based on how landscaping is utilized. On-site meeting with landscaper on October 15th at 12 noon. This also allows for use of the lot and to identify any issues.

PLANNING/ZONING:

PLAZA TEN 06:

CITY HALL: City Council and EDC had a combined workshop related to strategic planning on July 26th 10a-4p. The session was good and Ron Cox and I will be working on some follow up points from it.

PUBLIC WORKS: A city drainage easement with a deteriorating bulkhead has been identified off Aspen and we are getting quotes to make necessary repairs. This is located at a city outfall to channel and is only visible to residents residing on Tindel looking south. We are getting quotes for the work.

Other Items:

Pizza with the Police was a good opportunity for dialog and awareness between public and police. We will continue to foster these efforts.

August 23, 2019 3-8p There will be a Blood Drive in Honor of Kari Kelley who is undergoing cancer treatments. The bloodmobile will be on-site at the CLR/2094 Parking lot and Okie's Yardhouse is hosting and donating some prizes for the first 40 donors over age 21. More information will be pushed out.

August 31, 2019 Coffee with the Mayor Kurt at 0900 at Clubhouse.

December 6, 2019 will be the employee Christmas Party at LaBrisa's on SH146. A separate party is anticipated for volunteers as has been customary.

AGENDA ITEMS:

Recommendation of the Park and Pool Committee is to appoint Pam House and Melissa Stauffer. There were five applications and each were considered.

Recommend the acceptance and approval of the interlocal Agreement between Galveston Co. Health District, GCWCID #12, City of Kemah and City of Clear Lake Shores for Emergency Medical Services.

Revocation of Waterfront leases: We have only three remaining for payment. B-017 and B-027B Leslie Lundquist (also (sic) Lunquist, in our records) and C-078 Effran and Christina Franco. Letter sent July 3, 2019. Public Hearing notice sent August 5, 2019. Lundquist had previous issues with mail sent to her. She advised last time to send all mail to her island address. Franco, recently transferred a lease. I would recommend tabling until next meeting to allow for extended mail delivery/forwarding.

Recommend acceptance of bid for pier removal at lease #122-A and 122-B in preparation for auction, where fees can be recovered.

Regarding ordinances with parking and penalties: Legal counsel requested more descriptive locations, by street, address block or directional or even and odd sides of roadway. I would recommend some additional work to identify such areas. This would also require publication as it has a punitive section.

Discussion of Annual Budget:

This first version did not address wages, however I would propose a pool of money to be used for merit-based pay increases, at 3% this is \$25,300. It is not an across-the-board raise. Of course pay increases also effect deductions, retirement, etc.

We anticipate bringing a fire protection fee/permitting on-line next year. This would be used to help defray anticipated costs for a shared fire marshal with Kemah.

I plan on adding to item 11555 under administration to fund additional technology, such as monitors, microphones, etc. to aid in recording and showing information.

***** Will schedule an additional workshop to work on this in detail *****

Sign at Shellbottom park

Texas Parks and Wildlife has said they pay for signs like this that include rules and safety information. Once everyone is on board with what it will say, Jay Fenwick can put you in touch with the contacts (Trey and Robin) he has been working with for all of the details.

All of these items except one are backed up with current ordinances or the ordinance changes I have submitted. The item that begins "as a courtesy..." is not based on an ordinance, nor did council feel it should be when we presented our prelim research, which is why I've worded it that way. We felt it was important to include on the sign because folks may not realize their lights shine directly into the homes across the street at night and they may choose to avoid this, once aware, by using parking lights

Park closed 12 midnight to 5:00 am

Use Boat Ramp at your own risk

No Fishing from Pier

No Swimming

No fireworks/unauthorized firearms

No parking on unpaved areas next to city streets such that the vehicle or trailer would encroach upon the street itself. Vehicles are subject to tow.

Police for non emergencies: 281-334-1034

Do not drive in the park except on paved roads or park in any area other than designated parking area

Clean up after your pet, all pets must be on a leash

As a courtesy please consider using parking lights only when launching/retrieving after dark

For a Complete list of park rules please visit: www.clearlakeshores-tx.gov

For a complete list of boater safety information please visit: www.navcen.uscg.gov

Golf cart Definition

I've left the term "golf cart" in the edits I've made to the existing ordinances. Although after discussion with council it seems the term does need to be re-defined. Our current definition is in 78-175. I've included this link that discusses the topic in great detail should you need additional reference material in addition to HP 1548 when you consider what the wording should be for the new definition.

<https://one.nhtsa.gov/cars/rules/rulings/lsv/lsv.html>

Texas Parks and Wildlife Grant suggestions

We would like to see the boat ramp re-surfaced

We would like to explore options to expand parking. The grant does allow for land acquisition.

We would like to make any necessary repairs on the ramp itself as well as the shell bottom area behind the ramp (in the water) that appears to be eroding.

We would like a light installed at the ramp itself for safety during night launch/retrieval

Existing Signage

Remove signs from Shell Bottom that indicate the parking area is for vehicles with trailers only

Remove the Boat ramp closed at 10 pm sign

Remove the no parking signs along east shore

(Replace the above with the single sign listing park and parking rules)

Add sign "golf cart parking only" in the area of Shellbottom with pavers. Include on the sign " per city ordinance 66-138(e)