



## Meeting Minutes City Council Tuesday, October 20, 2020

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.

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**Present:** Mayor Kurt Otten, Councilwoman Amanda Fenwick, Councilwoman Christy Lyons, Councilwoman Angie Terrell, Councilwoman Jan Bailey, Councilman Mark Thompson, Councilwoman Jan Bailey, City Administrator (CA) Brent Spier, Police Chief T. Keele, Building Official Kevin Harrell, City Secretary Christy Stroup, City Attorney Loren Smith, Communication Specialist Adriana Richey

**Absent:** G.C.H.D. Amy Weber

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

Mayor Otten called meeting to order at 6:32 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. REPORTS FROM COUNCIL:

**Councilman Thompson:** Annual Bar-B-Que Cookoff is Saturday, Oct. 24<sup>th</sup> and would like to see everyone come out. BBQ plates are \$12 each.

**Councilwoman Lyons:** no report

**Councilwoman Terrell:** no report.

**Councilwoman Bailey:** Attended the Emergency Service Board meeting last night.

**Councilwoman Fenwick:** no report

**Mayor Otten:** Still sign up for the 2020 Bay Area Heart walk; Candidate's Night had a good turnout; Lower Clear Creek and Dickinson Bayou Study will hold a virtual meeting on Wednesday, Oct. 28<sup>th</sup> for Dickinson Bayou and Wednesday, Nov. 4<sup>th</sup> for Clear Creek.

### 4. STAFF REPORTS:

**Chief Tracy Keele:** Next Week is Red Ribbon Week and the patrol cars and the officers will wear ribbons to support Drug Free and Bully Free Environment. A video will be presented to the students at Stewart Elementary in their classrooms. We are asking the residents to display red ribbons next week to show the kids that we support a drug free environment; has had contact with the company that was to provide ticket writers but not much to report; in car videos for the patrol cars are becoming obsolete and will become non supported so research is being done to obtain a new in car video system that will also work with body camera; The Grinch will be here December 17<sup>th</sup>; the charity of the month is SPCA or any local animal shelter.

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

**CLS/Kemah Volunteer Fire Dept Chief Steckler:** stated National Night Out was great; stats through September they have acquired more volunteers; new flooring is being installed in the firehouse of a less slick surface.

Galveston County Health District Amy Weber: absent

City Administrator Brent Spier: report attached (attachment b)

**5. COMMITTEE REPORTS:**

**PARKS AND POOL:** Chris Richardson said they had a meeting October 5<sup>th</sup> and the discussion items were: Kayak Dock at Jarbo Park, Budget, major repairs to pool, pool furniture and Christmas decorations – will be decorating Dec. 1<sup>st</sup> and 2<sup>nd</sup>.

**ROADS AND DRAINAGE:** Report attached (attachment c)

**ZBOA:** no report

**PLANNING AND ZONING:** no report

**WATERFRONT COMPLIANCE:** no report

**6. CIVIC CLUB:** Teresa Otten reported BBQ Cook-off is Oct. 24<sup>th</sup>; National Night Out and Candidates Night had a good turnout; Thanksgiving Dinner is scheduled for November 14<sup>th</sup> so make reservations; Christmas Tree Lighting is December 3<sup>rd</sup> and cookies and cocoa will be served; Halloween will be drive thru at Jarbo Park.

**7. ECONOMIC DEVELOPMENT CORP.:** Charles Scoville reported that they have reached out to CenterPoint about relocating the lines that run from FM 2094 to Aspens; working on reimbursement of disbursements for the Pandemic Relief; Galveston Bay Beer Company still in discussion of acquiring the old Strawberry Fields building; Joe Shulsky is working on a palm tree replacement program; lighting in the Lee Tract parking lot; held an Executive Session on the Dror Ave. Right of Way.

**8. PUBLIC COMMENTS:**

**Richard Sowrey – 918 Forest:** stated that he thinks the Short Term Rental Ordinance should be presented to Planning and Zoning for review concerning any zoning regulations.

**9. NEW BUSINESS:**

**CONSENT AGENDA:**

**a. Check Register: 10/01/2020 thru 10/14/20**

*Consent agenda passed with no objections*

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

**a. Move Council Meeting for November 3, 2020 to November 4, 2020 due to regular meeting date is same as Election Day.**

*Councilwoman Terrell made motion to approve item a  
Councilwoman Lyons second the motion*

*Motion passed unanimous*

**b. ORDINANCE 2020-20: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS, CREATING ARTICLE VI., SHORT TERM RENTALS, OF CHAPTER 18, BUSINESSES AND BUSINESS REGISTRATION, OF THE CODE OF ORDINANCES, ESTABLISHING REGULATIONS AND A PERMITTING REQUIREMENT FOR OPERATION OF A SHORT TERM RENTAL, AND PROVIDING A PENALTY CLAUSE FOR VIOLATIONS.**

**City Administrator Brent Spier** stated that this is a discussion item only.

After discussion between all City Council, City Administrator and City Attorney Justin Pruitt it was brought to a vote to put together an Ad-Hoc committee to review the Ordinance and bring back to City Council to review and approve. The committee would consist of two residents and two City Council members.

**Councilwoman Terrell** made motion to form an Ad-Hoc committee to review Ordinance 2020-20 and the committee would consist of 2 residents and 2 councilmembers.

**Councilman Thompson** second the motion

Katherine Chalfant, 511 West Shore resident, volunteered to be a member of this new committee

Allan Batchelor, 1024 Forest Rd. resident, volunteered to be a member of this new committee

Councilman Mark Thompson and Councilwoman Christy Lyons volunteered as council for the committee.

**MOTION PASSED:** 3 Yes – Councilwoman Terrell, Councilwoman Lyons and Councilman Thompson  
2 No – Councilwoman Fenwick and Councilwoman Bailey

- c. **ORDINANCE 2020-22: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES AMENDING ITS CODE OF ORDINANCES TO ADD A NEW SECTION 78-104, PARKING ON WATERFRONT LOTS LIMITED TO LESSEES AND GUESTS, OF DIVISION 2, NO PARKING/TOW AWAY ZONES, OF ARTICLE V, STOPPING, STANDING AND PARKING, OF CHAPTER 78, TRAFFIC AND VEHICLES, PROVIDING THAT IT SHALL BE UNLAWFUL FOR ANY PERSON OTHER THAN THE WATERFRONT LESSEE OR A GUEST OF THE WATERFRONT LESSEE TO PARK A MOTOR VEHICLE, VEHICLE, OR TRAILER ON A WATERFRONT LOT; ESTABLISHING TOW AWAY ZONES; PROVIDING FOR A PENALTY IN AN AMOUNT NOT LESS THAN \$10.00 AND NOT MORE THAN \$200.00 FOR ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY, AND MAKING CERTAIN FINDINGS OF FACT.**

Discussion was made at length with all City Council and City Attorney Loren Smith about the language in the ordinance and certain circumstances that may or may not occur.

Councilwoman Terrell made motion to approve Ord. 2020-22 with discussed change of wording to add "by vehicle" to the section 78-104(a) to second to last sentence in the paragraph.

Motion died due to lack of second

Councilwoman Bailey made motion to remove agenda item

Motion died due to lack of second

Councilwoman Fenwick made motion to deny Ordinance 2020-22  
Councilman Thompson second the motion

**MOTION PASSED:** 4 Yes – Councilwoman Fenwick, Councilman Thompson, Councilwoman Lyons and Councilwoman Terrell  
Councilwoman Bailey – no vote

- d. **EXECUTIVE SESSION: Pursuant to Section 551.074 concerning Personnel Matters it authorizes certain deliberation about officers and employees of the governmental body to be held in executive session (1) to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Administrator Brent Spier, Chief of Police Tracy Keele and City Secretary Christy Stroup.**
- e. **EXECUTIVE SESSION: Pursuant to Section 551.72 authorizes a governmental body to deliberate in executive session on certain matters concerning real property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange,**

lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Recess to EXECUTIVE SESSION – 8:34 pm  
Reconvene from EXECUTIVE SESSION - 10:18 pm

- f. Action from EXECUTIVE SESSION: Pursuant to Section 551.074 concerning Personnel Matters it authorizes certain deliberation about officers and employees of the governmental body to be held in executive session (1) to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Administrator Brent Spier, Chief of Police Tracy Keele and City Secretary Christy Stroup.

NO ACTION TAKEN

- g. Action from EXECUTIVE SESSION: Pursuant to Section 551.72 authorizes a governmental body to deliberate in executive session on certain matters concerning real property: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

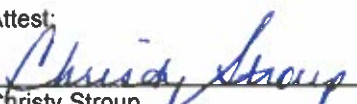
NO ACTION TAKEN

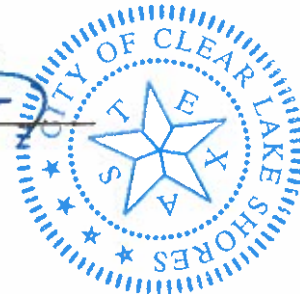
9. ADJOURNMENT:

Mayor Otten adjourned the meeting at 10:19 p.m.

Date Approved: 11-4-20

  
\_\_\_\_\_  
Mayor Kurt Otten

Attest:  
  
\_\_\_\_\_  
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**    October 7<sup>th</sup> - October 20<sup>th</sup>, 2020

### **Building Department:**

Seven new permits were issued since our last meeting. All seven of the permits are minor construction.

**Current Residential Construction:** I currently have five new homes being constructed in various states of construction. 819 Cedar, 835 Grove, 303 Oak, 727 Pine, & 903 Juniper

### **New Commercial Construction:**

**Okie's Yardhouse:** The construction is ongoing. The outdoor kitchen is being plumbed for gas and electric. The coolers are currently being insulated with spray foam.

**Aspen's Grill:** Construction is ongoing. The second story walkway has been taped off until a contractor can be hired to install the guardrails and handrails. A mechanical permit and fire suppression permit have been issued to install a new Stainless-Steel Type I Kitchen Hood and Ansul Fire Suppression.

**Schafer's Grill:** The construction is ongoing. The second story bar is being plumbed for gas and electric.

### **Code Enforcement:**

I have 1 code enforcement cases since our last CC meeting.  
Unsafe structure at Elm Rd.

### **Waterfront Leases:**

I have one case currently on a waterfront lease. Unauthorized use of an outdoor grill. The grill was removed.

## City Administrator Report

October 7 - 20, 2020

Fire Department Update: Chief expected on call.

Thirty weeks into the Coronavirus (COVID-19) pandemic, a downward trend continues locally.

COVID-19 summary of Galveston County is as follows: 12,172 confirmed cases, 11,384 recovered, 148 deaths (this number has been adjusted down from 165). There are 640 active cases, 1.2% reported case fatality rate, CLS cases at 45, with 44 recovered. Statewide 7,384,043 tests, 828,527 confirmed, 729,762 recovered cases and 17,022 deaths. Contact tracing continues in the hardest hit counties, Harris Co. leads the state in confirmed cases at 154,367, Galveston County continues a downward trend and is currently #16 (down 1).

Gov. Abbott continues a slow approach to reopening with bars now returning to patrons on-site.

Weather in the tropics is slowing. Currently named storm Epsilon is churning and is not expected to make landfall, simply a fish storm. A low pressure area is south of us near Mexico though not expected affect us currently.

Voting has exceeded our population at the clubhouse. The secret is out, you can vote with no waiting at Clear Lake Shores.

COURT PROCESS: Court will operate from city hall conference room. Spatial distance, face coverings and hygiene are highlights. Clubhouse is being used for voting.

PERSONNEL: Chief Keele is continuing his efforts to fill the PD spot.

ROADS/DRAINAGE: Estimates have been received regarding asphalt overlaying specific city streets. These will be considered by the committee following a meeting with the contractors, input from additional experts and some planning. R&D is enlisting additional information from other cities and will evaluate roads with a system that provides evaluation by points and allows for better long-term planning of projects. Conference call took place last week, good collaboration with League City. Will meet with a pavement longevity expert this Friday to evaluate options.

Crosswalk painting at Aspen/CLR is complete. If it does not hold up we have a vendor that can do thermoplastic markings, that are more durable and costly. A reflective sign to be placed in center of road on weekends will help identify the crosswalk and help with safety.

Centerpoint will be replacing a gas line and service connections in the street along Narcissus. Any paving will take place following this work. Centerpoint contractor has been demobilized as they plan the next step.

PARKS: Shell Bottom Ramp is open. End of courtesy dock is off-limits due to damage and cost to repair. TPWD Grant for Boater Access is moving forward as I have enlisted a proposal from an engineering firm. As this moves forward I will keep you apprised.

Sunset/Lowell Brown pier sustained damage from high tide and wave action. Upon review, it is more complicated than replacing some deck boards and twinning a joist or two. Piers, joists, headers and

deck is in need of replacement. \$36K +/- is cost to remove and rebuild. It is 15 years old. It is currently off-limits in the are most affected but we will consider further closure(s) as needed.

DROR AVE: Still trying to work a viable solution.

ECONOMIC DEVELOPMENT CORP (EDC): New crosswalk signalization has been ordered with poles. Electric and lighting bid packet being readied for East Lot.

PLANNING/ZONING: N/A

PLAZA TEN 06: N/A

CITY HALL: Installed network cable in the PD squad room in anticipation of new phone system. This will also improve laptop performance for officers who currently use a wireless connection point.

PUBLIC WORKS: Keeping up on sanitation of facilities and grounds, keeping a positive message on the marquee and making sure we keep things as normal as possible for as many as possible. Debris clean-up after recent weather events. Preparing for the holiday season.

#### Other Items:

TXDoT is expected to move forward with an environmental study regarding possible dredging and installation of boat ramps in Kemah, under SH146. This is a first step and I am encouraged.

October 24 – Civic Club BBQ Cookoff, Jarboe

November 30 – Christmas Tree Frame, December 1 – Decorating, December 3 – Lighting.

December 17 – Grinch Parade, Jarboe, 5PM (tentatively)

#### AGENDA ITEMS:

**b. ORDINANCE 2020-21: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS, CREATING ARTICLE VI., SHORT TERM RENTALS, OF CHAPTER 18, BUSINESSES AND BUSINESS REGISTRATION, OF THE CODE OF ORDINANCES, ESTABLISHING REGULATIONS AND A PERMITTING REQUIREMENT FOR OPERATION OF A SHORT TERM RENTAL, AND PROVIDING A PENALTY CLAUSE FOR VIOLATIONS.**

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MAKING CERTAIN FINDINGS OF FACT.**

**Executive Session: Property acquisition, r-o-w, summary.**



Roads and Drainage  
City Council Committee Report – October 20, 2020

Update on 2020 Multiple Street Improvement Project

Roads and Drainage held a conference call with representatives of League City roads and drainage engineering and maintenance. The call lasted about an hour and was very productive.

Topics were Roads and Drainage Strategic Plan, how to resurface our roads at a significantly lower cost and suggestions on keeping our ditches and culverts maintained.

We have set up a follow-up meeting face to face on Friday October 23<sup>rd</sup> to expand on the above topics and carry out a field visit to get feedback on our upcoming 2020 Multiple Street Improvement Project on Blue Point and Narcissus.

201020 R&D Report City Council 10-20-2020