



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, January 3, 2017

7:00 pm

Clubhouse - 931 Cedar

Present: Mayor Vern Johnson, Mayor Pro-Tem Al Burns, Councilwoman Diana Hoerner, Councilwoman Amanda Fenwick, Councilman Bud Solmonsson, City Secretary Christy Stroup, Bldg. Official Kevin Harrell, Asst. Chief David Donaldson

Absent: Councilwoman Jan Bailey

1. CALL TO ORDER & DETERMINATION OF QUORUM

Mayor Vern Johnson called meeting to order at 7:00 pm.

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

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

3. PUBLIC HEARING: Discussion regarding a violation of Chapter 66, Article III (Drainage Facilities) of the Clear Lake Shores Code of Ordinances for the property located at 131 Queen Road, Clear Lake Shores, Texas 77565

Mayor Vern Johnson called Public Hearing in session at: 7:02 pm

Building Official Kevin Harrell started discussion with the situation of the property located at 131 Queen Road. The drainage on the property is in compliance and was in compliance upon the completion of the home build. There are 4 properties that are affected by the drainage of 131 Queen Road.

The Black's - 131 Queen Road, The Worley's - 914 Juniper, The Morris' - 900 Juniper, The Simon's - 150 Rosewood. All were in attendance except for the Simon's.

According to Kevin Harrell the natural flow of water on these properties ends up as a retainage pond when we have a heavy flow of rain. His recommendation is to install a catch basin at the corner of the Black's property that would allow the water to drain faster off the properties.

Mr. Black handed out a packet that he had prepared showing the timeline on the build of his property concerning the drainage. (attached) The landscaping that was installed is basically what has caused the backup of water flow. The landscaper did install additional drains to address the drainage issue.

Several issues were brought up concerning the flow of the water surrounding these 4 properties before and after the homes were built. As each home was built the flow was diverted and the Black's are the last to build so the flow has no place to go with all 4 homes backing up to each other.

All properties are in compliance as far as drainage on their own property. But with the new build has

created an issue with the surrounding properties.

Public Hearing closed at 7:48 pm

4. REPORTS OF COUNCIL:

Councilwoman Bailey - Absent

Councilman Solmonsson - Has a couple of items including the Veteran's Memorial to be on the agenda for the next meeting.

Mayor Pro-Tem Burns - Tendered his resignation from City Council due to family moving to Conroe, TX. Read letter to Council and residents (attached) then stated that his recommendation for his replacement be Mike McNamara.

Councilwoman Fenwick - Wished all happy new year; Stewart Elementary is hosting a Readers for Leaders program and asked for volunteers to read to students 30 minutes a week at the school to help students to become better readers by reading to a student or listening to a student read.

Councilwoman Hoerner - Wished all happy new year

Mayor: Happy New Year

5. STAFF REPORTS:

City Administrator George Jones: Road project is almost completed; Public Works is taking down the Christmas decor and should finish in the next couple of days; Tindle Street is in need of repairs and has received some complaints from the residents so that street will be looked at and discuss the repairs; Yearly evaluation will be done at the next Council meeting so the City Council needs to make sure they have turned in their evaluation forms to the Mayor; Olson and Olson will be hosting their Annual Local Government Seminar will be held January 19th at The Stafford Center and all are welcome to join; Roads & Drainage will be meeting to discuss this year's road projects; Annual audit will be conducted the week of January 23rd; small reception for Al Burns resigning immediately following the meeting.

Asst. Chief Donaldson: gave the monthly stats for December

Building Official Kevin Harrell: reported his monthly stats from 12/06 thru 12/31.

6. UNSCHEDULED VISITORS: None

8. CONSENT AGENDA:

- a. **Check Register: 12/01 thru 12/28, 2016**
- b. **Minutes from Regular Meeting held December 6, 2016**

Councilwoman Hoerner made motion to approve consent agenda
Councilman Solmonsson second motion

Mayor Johnson called for a vote - Councilwoman Fenwick abstained

Councilwoman Fenwick made motion to postpone until the following council meeting
Councilwoman Hoerner second

MOTION PASSED

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

- a. **Resolution of a violation of Chapter 66, Article III (Drainage Facilities) of the Clear Lake Shores Code of Ordinances for the property located at 131 Queen Road, Clear Lake Shores, Texas.**

Councilwoman Fenwick made motion for the Building Official and all 4 property owners involved

with the drainage issue to meet and bring back to City Council within 30 days what they feel is an agreeable solution.

Councilwoman Hoerner second the motion

MOTION PASSED UNANIMOUS

- b. **ORDINANCE 2017-01: An Ordinance of the City of Clear Lake Shores, Texas amending Chapter 14, Buildings and Building Regulations, of the Code of Ordinances of the City of Clear Lake Shores, Texas by adopting the 2015 International Property Maintenance Code.**

George Jones reported that this adoption allows the Building Official to enforce stricter regulations on rental property as far as safety for the renter.

Councilwoman Fenwick made motion to accept Ordinance 2017-01
Councilman Solmonsson second motion

Patrick Michaelski inquired how this was going to be enforced since there are several rental properties on the island?

George Jones stated that there are a few regulations that the Council will need to address and adopt at a later time. Mr. Michaelski stated that these issues should be addressed before the Council adopts the Ordinance. **George Jones and Kevin Harrell** said that several things in the ordinance can be addressed now as far as smoke alarms, water heater installation, sanitation, etc.

Mayor Johnson called for a vote

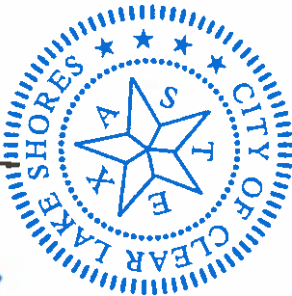
MOTION PASSED UNANIMOUS

11. Adjournment: 8:08 pm

1-17-17
Date Approved

Vern Johnson
Mayor Vern Johnson

Attest: Christy Stroup
Christy Stroup, City Secretary

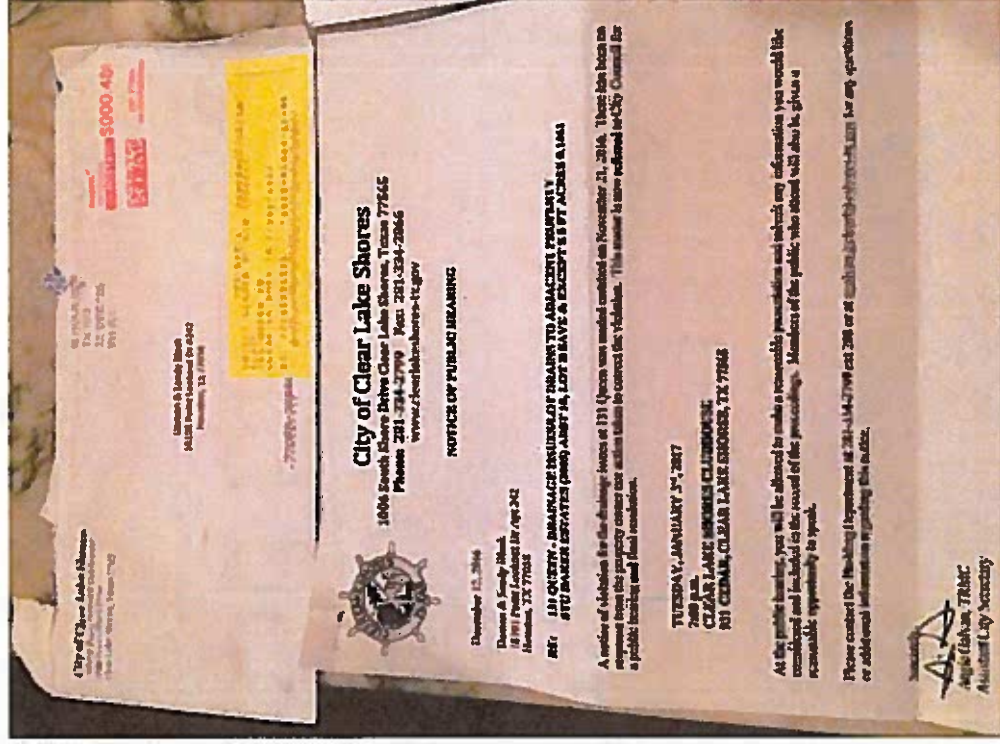


Clear Lake Shores Public Hearing 131 Queen Road Drainage

January 3, 2017

Timeline of Events

- Received email that our house is draining onto 914 Jupiter September 26, 2016
 - Notice that no CoO would be issued until fixed
- Installed additional drains in backyard Received CoO October 28, 2016
 - Verbal notice that drainage would be reassessed after hard rain
- Notice of Violation and Notice of Public Hearing received December 14, 2016
 - Letter dated November 21, 2016 gives 10 days to respond
 - No notification of certified letter received
 - Letter received outside of 10 day response period
- Contacted city December 15, 2016
 - Told that matter referred to City Council
 - No indication as to what code is not being met
- Installed drain from neighbor's yard to our yard December 17, 2016



Drainage Issues/Lot Drains to Adjacent Property

From: Kevin Harrell
Sent: Monday, September 26, 2016 9:00 AM
To: Angie Galvan <AGalvan@clearlakeshores-tx.gov>
Subject: Drainage Letter 131 Queen

Angie,

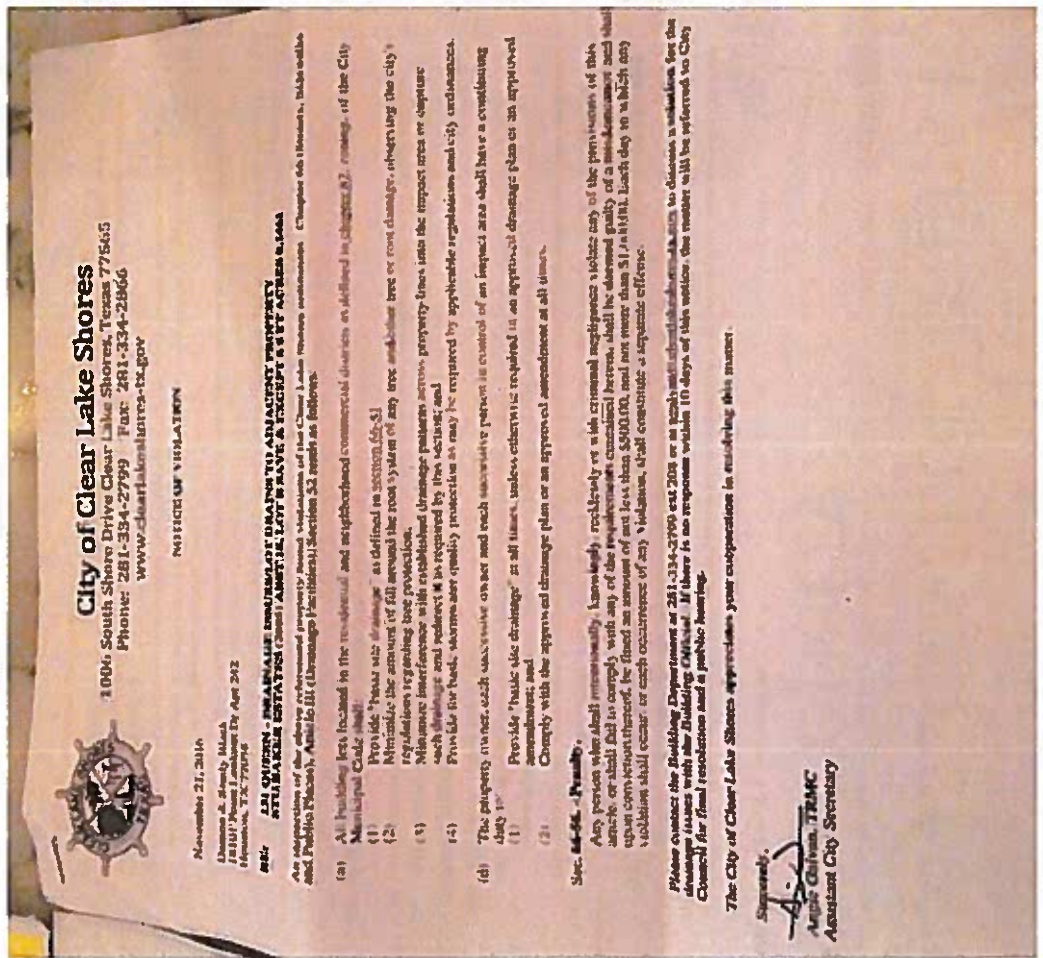
Please send a letter to Ashly at Harbor Classic homes. Their new house is draining on to Todd Worley's house 914 Juniper. No CO till its fixed.

Thanks

Kevin D. Harrell
CFM Building Official
City of Clear Lake Shores
1006 South Shore Drive
Clear Lake Shores, Texas, 77565
[281-334-2799 ext. 209](tel:281-334-2799)
k.harrell@clearlakeshores-tx.gov



Drainage Issues/Lot Drains to Adjacent Property



Chapter 66, Article III, Section 52

(a) All building lots located in the residential and neighborhood commercial districts as defined in chapter 82, zoning, of the City Municipal Code shall:

- (1) Provide “basic site drainage” as defined in section 66-51
- (2) Minimize the amount of fill around the root system of any tree and other tree or tree or root damage, observing the city’s regulations regarding tree protection;
- (3) Minimize interference with established drainage patterns across property lines into the impact area or capture such drainage and redirect it as required by this section; and
- (4) Provide for basic stormwater quality protection as may be required by applicable regulations and city ordinances.

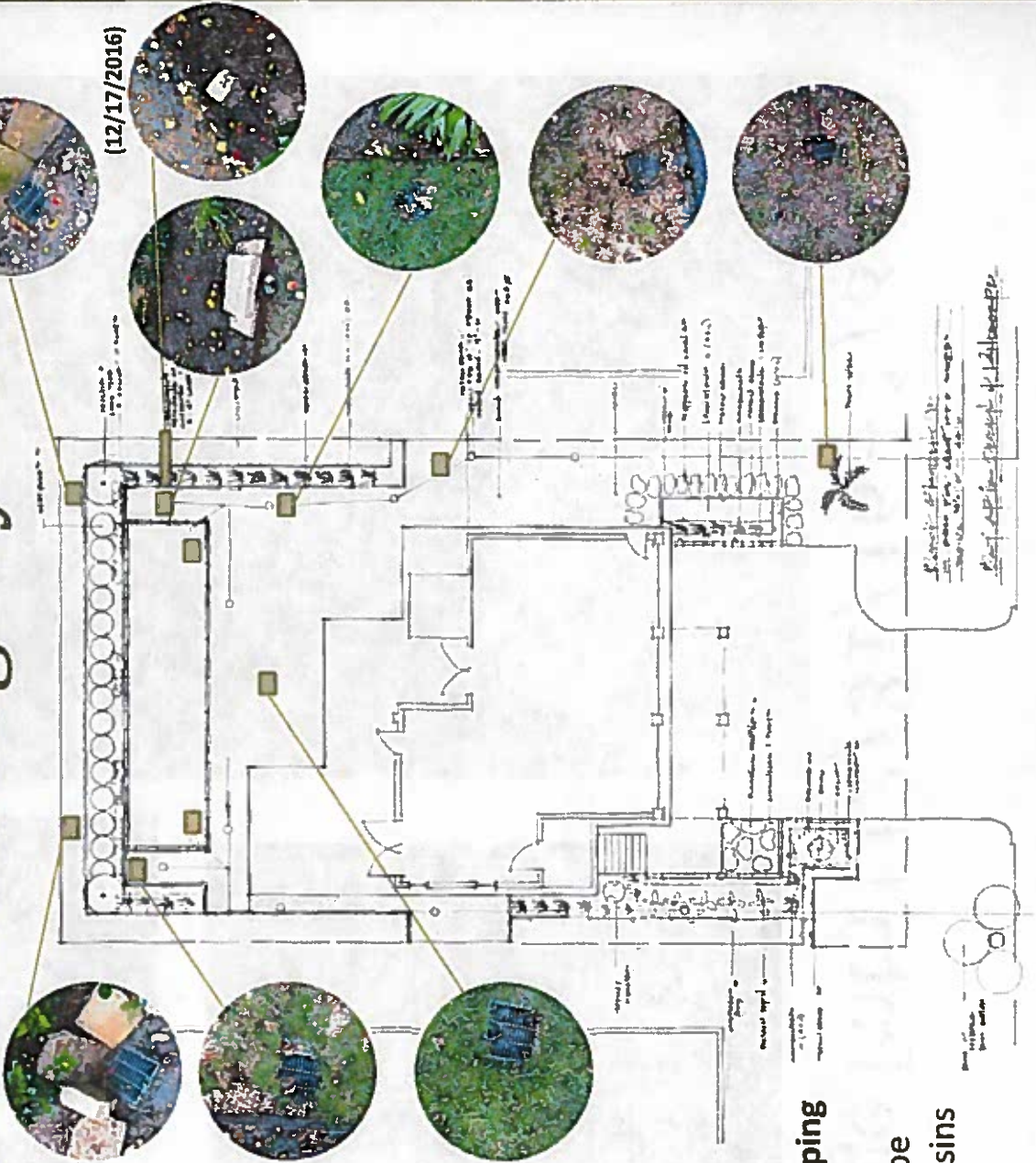
Chapter 66, Article III, Section 52

- (d) The property owner, each successive owner and each successive person in control of an impact area shall have a continuing duty to :
- (1) Provide “basic site drainage” at all times, unless otherwise required in an approved drainage plan or an approved amendment; and
 - (2) Comply with the approved drainage plan or an approved amendment at all times.

131 Queen Drainage System

(10/2016 - CoO)

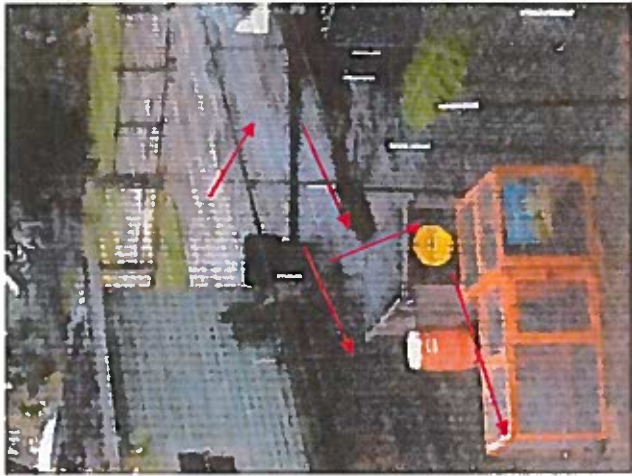
(12/17/2016)



(10/2016 - CoO)

- Per Bay Area Landscaping**
SOW:
- 265 lf: 4" drain pipe
 - 12 ea: 9" catch basins

Drainage Path (12/31/16 - 1/3/17)



Drainage Videos - 12/31/2016



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