



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, April 4th, 2017

7:00 pm

Clubhouse - 931 Cedar

Present: Mayor Vern Johnson, Mayor Pro-Tem Amanda Fenwick, Councilwoman Jan Bailey, Councilman Bud Solmonsson, Councilwoman Diana Hoerner, Councilman Mike McNamara, City Administrator George Jones, City Secretary Christy Stroup, Chief Kenny Cook

Absent: Building Official Kevin Harrell

1. CALL TO ORDER & DETERMINATION OF QUORUM

Mayor Vern Johnson called meeting to order at 7:03 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. REPORTS FROM COUNCIL:

Councilwoman Bailey – No report

Councilman Solmonsson – No report

Mayor Pro-Tem Fenwick - asked George Jones if he had any response from TML concerning electronic municipal postings instead of newspaper. George replied no response yet.

Councilwoman Hoerner – No report

Councilman McNamara – No report

Mayor - After 10 years of serving as Mayor he appreciates everyone

4. STAFF REPORTS:

City Administrator George Jones: Basketball goal at Children's Park on Grove has been installed and is ready to go; Saturday, April 8th is Spring Clean-up and dumpsters will be placed at Jarboe Bayou and Shell Bottom; Household chemical disposal is also April 8th at Gulf Greyhound Park for Galveston County residents only; gave stats on animal control for the month of March; League City Emergency Management is looking in to a new location for debris deduction in case of a natural disaster and may be located on Hwy. 96.

Chief Cook: Reported monthly stats for March

Building Official Kevin Harrell: Absent

5. UNSCHEDULED VISITORS: None

6. SCHEDULED VISITOR:

Joe Huntington - Sidewalks:

Mr. Huntington presented the idea to City Council concerning establishing a pathway around the island on the waterfront side so that the children and residents would have a place to walk instead on the road. He stated that it would not be a concrete sidewalk but more of a crushed granite walking path similar to what has been created in Seabrook along Todville Road.

Discussion with residents:

Candace Mann - Would the pathway be established on the waterfront side or the other side of the road?
Joe Huntington - most of the pathway would be laid on the waterfront side

Charles Dillon - How would this impact golf cart parking on the waterfronts?
Joe Huntington - The pathway is pretty much level with the ground and the golf carts could pass over it

Charles Dillon - Is this pathway strictly for walking or would it be ADA Certified?
Joe Huntington - this pathway is to be used by the residents to keep them off the road for safety precautions

Resident - What is the height of the pathway?
Joe Huntington - Approximately 2 to 4 inches

Allan Batchelor - What is your intention on East Shore since there is no waterfront?
Joe Huntington - has not thought that far along on the process but would probably need to be installed on the West side of East Shore

Patrick Michaelski - How wide are you thinking the pathway would be? How far off the road?
Joe Huntington - Pathway would be maybe 4 to 5 feet wide and approximately 2 feet off the road

Resident - Who would maintain the walkway and make sure the grass between the pathway and the road is maintained?
Joe Huntington - He thinks that this would be something that the City could maintain fairly easy

Joe Huntington stated that he has an engineering degree and would be willing to head up the project if the City Council is in favor of the pathway. He would donate some of the supplies needed and labor

Ronnie Richards - There are grants that could be applied for that might help absorb some of the cost of the project.

Mayor Johnson - suggested getting everything together as far as design and approximate cost and forward the city committee that would handle the project.

Joe Huntington - he would like to find out if the residents and City Council have an interest in the project

7. CONSENT AGENDA:

- a. **Check Register: March 16th thru 29th, 2017**
- b. **Minutes from Public Hearing held March 21, 2017**
- c. **Minutes from Regular Meeting held March 21, 2017**
- d. **Waterfront Transfer: F-130, F-131, F-132B & F-133 - Frank Sager to Kevin O'Connell**
- e. **Waterfront Transfer: D-094 - J.M. O'Neal to Rodney Johnson**

Councilman McNamara made motion to approve consent agenda items a,b,c and e
Councilwoman Hoerner second motion

MOTION PASSED UNANIMOUS

Councilman McNamara questioned the inspection of F-130 and if it was ready for transfer

City Secretary Christy Stroup stated that it was ready and that Kevin Harrell did a final inspection and it passed as noted on the bottom of the inspection form

Mayor Pro-Tem Fenwick made motion to approve item d
Councilwoman Hoerner second the motion

MOTION PASSED UNANIMOUS

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

a. Presentation of the audited financial statements for fiscal year ended September 30, 2016

Mike Brotherton with Belt Harris Pechacek was in attendance and went over the audit with the City Council. He stated that all looked well.

No questions were asked from City Council.

b. Audit Engagement Letter from Belt Harris Pechacek, LLLP for the years ending September 30, 2017 and optional 2018.

George Jones stated that there is an \$800 increase in the fees but other than that all is the same as the one approved 2 years ago.

Mayor Pro-Tem Fenwick made motion to approve as written
Councilman McNamara second the motion

MOTION PASSED UNANIMOUS

c. Resolution 2017-03: A Resolution of the City of Clear Lake Shores declaring unopposed candidates in the May 6, 2017 election, elected to office; canceling the election; providing a severability clause; and providing a effective date.

Councilwoman Hoerner made motion to approve Resolution 2017-03
Councilman Solmonsson second the motion

MOTION PASSED UNANIMOUS

d. Resolution 2017-04: A resolution adopting the Investment policy of the City of Clear Lake Shores, Texas.

Councilman McNamara made motion to accept Resolution 2017-04
Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

e. Resolution 2017-06: A Resolution adopting the Galveston County Hazard Mitigation Plan for the City of Clear Lake Shores.

(should be Resolution 2017-06 - document in Council Packet has 2017-05)

Mayor Pro-Tem Fenwick made motion to accept Resolution 2017-06
Councilman McNamara second the motion

MOTION PASSED UNANIMOUS

f. Approve Interlocal Agreement between the City of Kemah and the Kemah Volunteer Fire Department through its Emergency Services Board and the City of

Clear Lake Shores for Emergency Services provided to the City of Clear Lake Shores.

George Jones stated that the Fire Chief for Kemah Volunteer Department is going to be a paid employee and offered employee benefits with the City of Kemah. The \$7.00 dollars that is now collected through water bill will be used to pay for the salary and benefits of the Fire Chief position. The Interlocal Agreement is strictly a formality since the City of Clear Lake Shores benefits from the Kemah Volunteer Department. No monies from the City is exchange to the City of Kemah or the Emergency Services Board.

Mayor Pro-Tem Fenwick made motion to approve the Interlocal Agreement
Councilman Solmonsson second the motion

MOTION PASSED UNANIMOUS

- g. Approve a request by the organizers of the Easter Sunrise Service to close Deep Hole Park on April 16th in the morning until Sunrise Service is over.**

Discussion:

How will this be enforced? The Police Department will help with turning those away that are not there for the Service.

Will there be signs posted prior to the service? *George Jones* stated that we could have signs posted

Councilwoman Hoerner made motion to approve the request as written
Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

- h. Ratify an amendment to the Economic Development and Management Agreement between the City of Clear Lake Shores, Clear Lake Shores Economic Development Corporation, Plaza Ten 06 Corporation and Sidewalk Brands, LLC wherein the Clear Lake Shores Economic Development Corporation approved additional funds for the project in the amount of \$533,000.00.**

George Jones stated that this is what was brought up at the last Council meeting but the additional paperwork and reports as requested have been attached.

Councilwoman Hoerner made motion to accept amendment as written
Councilman Solmonsson second the motion

Discussion:

Mayor Pro-Tem Fenwick asked Mr. Billy Flanagan of Sidewalk Brands how he came to the number of 1.1 to 1.4 million for projected total yearly revenue. Mr. Flanagan said that he based his projection numbers on the surrounding area establishments that are similar to the one that he and the EDC has presented to be constructed. The numbers given on the spreadsheet are strictly reported alcohol sales by the surrounding establishments and do not include food. Mr. Flanagan's numbers include alcohol and food sales for the upcoming restaurant/tavern.

It was stated by *George Jones* that no city funds would be used to complete the project.

Mayor Johnson asked if the City would be liable for anything that would happen with the restaurant?

Per *Mayor Pro-Tem Fenwick* - According to the contract drawn up by our City Attorney there is an indemnity clause that would excuse us from any legal action produced by the restaurant/tavern.

Mayor Pro-Tem Fenwick asked Mr. Flanagan why the difference in the initial projection of \$500,000 that now has the numbers jumped to \$1.1 to \$1.4-million? Mr. Flanagan stated that his initial projection was based solely on the food trucks and the Yardhouse that is now established.

Several residents in the audience stressed to council that this project has already been presented to the City and was approved several months back and that nothing has changed in the project. They are simply ready to move forward with the next phase.

Councilwoman Bailey asked what would happen with the facility if it failed. What would the city do with the building and what else could it be used for?

Councilman McNamara stated that it could be used for several different options.

Mayor Johnson called for a vote

Approve the amendment - 3 in favor: **Councilwoman Hoerner, Councilman Solmonsson, Councilman McNamara**
2 opposed: **Mayor Pro-Tem Fenwick and Councilwoman Bailey**

MOTION PASSED UNANIMOUS

- i. **ORDINANCE 2017-04: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS, AMENDING ITS CODE OF ORDINANCES BY ADDING A NEW DIVISION 8, C-4MMU MARINE MIXED USE DISTRICT, TO ARTICLE II, ZONING DISTRICTS AND BOUNDARIES, CHAPTER 82, ZONING; AMENDING SECTION 82-31, DISTRICTS, BY ADDING A NEW DISTRICT C-4 MMU MARINE MIXED USE DISTRICT; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLEAR LAKE SHORES TO DESIGNATE CERTAIN PROPERTY TO BE ZONED AS C-4 MMU MARINE MIXED USE DISTRICT; AMENDING SECTION 82-5 TO ADD CERTAIN DEFINITIONS; PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EVERY DAY OF VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT.**

George Jones explained that this ordinance is just like the one that was passed for the RV District except that this pertained to structures that were to be built on the waters edge. The builder/owner would still have to petition to Council to get approval of anything being built. This would pertain to residential or commercial properties.

Councilman McNamara motioned to approve Ordinance as written
Mayor Pro-Tem Fenwick second the motion

MOTION PASSED UNANIMOUS

8. Adjournment: 8:30 pm

4-18-17
Date Approved
Vern Johnson
Mayor Vern Johnson
Attest: Christy Stroup
Christy Stroup, City Secretary



CLEAR LAKE SHORES POLICE DEPARTMENT

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

**Kenneth G. Cook
Chief of Police**

April 04, 2017

Subject: Report for Council Meeting

STATS:

For the month of March 2017, the Police Department was:

Dispatched to (54) calls for service.

Conducted (1,010) Business checks, and (145) checks to residents homes on Vacation watch.

(330) Citations were issued with a total of (366) violations written.

(36) Written Warnings were also issued.

Made (39) arrests.

That is all I have for tonight.

Chief Cook