



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, July 18, 2017 7:00 p.m. Clubhouse - 931 Cedar

Present: Mayor Michael McNamara, Mayor Pro-Tem Amanda Fenwick, Councilwoman Christy Lyons, Councilman Bud Solmonsson, Councilwoman Diana Hoerner, Assistant City Secretary Angie Galvan, Building Official Kevin Harrell, Chief K. Cook, City Administrator George Jones

1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor McNamara called meeting to order at 7:00 p.m.

2. PUBLIC HEARING:

- 1) 19 Tindel: Violation of the Clear Lake Shores Ordinance Section 78-16: Junked Vehicle
- 2) Possible revocation of Waterfront Leases for non-compliance:

A-013: William Cain – no longer CLS property owner
B-020: Matthew Donahue – high grass and weeds
B-021: Peter and Deanne Meeh – high grass and weeds
C-080: Nancy Schwartz – high grass and weeds
C-081: Walker Croft – high grass and weeds

Building Official Kevin Harrell reported that the junk vehicle was still considered junk and that the vehicle had not been moved and the registration is still expired. He did make contact with the property owner but no change in vehicle status as of this morning.

Building Official Kevin Harrell reported that all of the waterfront leases up for revocation have been cleared and are in compliance.

No public comments were made on either item.

Public Hearing closed at 7:03 pm

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

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

3. REPORTS FROM COUNCIL:

Councilwoman Hoerner – Attended the Bayou Animal Service Board meeting this past week and the plans for the new shelter are in; there will be a small increase in services next year.

Councilwoman Lyons- No report

Councilman Solmonsson – Attended the Galveston County Transit Authority meeting but has nothing new to report.

Councilwoman Bailey – No report

Mayor Pro-Tem Fenwick – Special Session started in Austin and we need to be watching our Annexation legislation and property tax. Had a conversation with Rep. Bonnen's Chief of Staff and he seems to be in favor of the annexation.

Mayor McNamara– Bond issue on the November ballot and looking at specific projects. Some of the things that we presented are not going to be considered including the pedestrian and golf cart bridge.

4. STAFF REPORTS:

City Administrator George Jones: Bond issue – the county is considering two projects: one is the bridge in Lazy Bend that was not part of the previous repairs and second is the road behind Home Depot that would stretch to FM 518 and would help with emergency services to Clear Lake Shore; Flip Flop structure has been installed at Jarboe Park; light issue at pool is being addressed.

Chief Cook: Monthly stats for June 2017 (report attached)

Building Official Kevin Harrell: Reported permit and code enforcement stats for the past two weeks

5. COMMITTEE REPORTS:

Roads and Drainage – No report

Planning and Zoning – No report

Economic Development Corporation – Commissioner Apfel at meeting last week and talked about the projects that were mentioned earlier.

Waterfront Compliance – Kurt Otten reported that they are working on a solution to present to Council pertaining to the issue from Candace Mann; walkthrough on all waterfronts will start in September.

Parks and Pool Committee – New handrails have been installed in some entrances into the pool; no smoking signs and no glass containers signs will be placed at the pool because there is an issue with these two things. The Sundial at Sundial Park has been repainted.

Mayor Pro Tem Fenwick asked how the pool memberships have been this year? George Jones stated that it is off by about \$100.00

Landscape and Beautification Advisory Committee – No report

6. CIVIC CLUB REPORT:

All the proceeds have been accounted for from the Fourth of July membership drive and the Civic Club account is now at a balance of \$10,020.68, Scholarship fund is at \$10,770.03(?) and the Islander fund is at \$5,680.37(?). The memberships are down so please help promote membership for the Civic Club.

7. UNSCHEDULED VISITORS:

Patrick Michaelski 126 East Shore: request that George Jones look into having some of our road ditches and culverts cleaned out.

Joe Huntington: concerning the pond issue and is asking the Merryman's and the Michaelski's to sit down and have a discussion and try to resolve some issues.

cont'd 07/18/17 minutes

Patrick Michaelski stated that they have never complained about the pond issue.

8. SCHEDULED VISITOR:

Paul and Linda Merryman: Paul Merryman asked City Council if any new information has been brought forward concerning the discussion from previous meeting? Mayor McNamara stated that nothing has been said.

Mr. Merryman said that the Corp of Engineer will be done with their investigation in a week or so. They will post the issue on their website for public comment and after reviewing the comments and the investigation that they pursued they will make a decision about the project.

9. NEW BUSINESS:

CONSENT AGENDA:

- a. **Check Register: June 22, 2017 thru July 12, 2017**
- b. **Minutes from Regular Meeting held June 27, 2017**
- c. **Waterfront Transfer F-147B: Summer Roberts to Daniel and Erin Schutmaat**
- d. **Waterfront Transfer F-149A: Michael Calpakis to Joe and Connie Whiddon**

Mayor Pro-Tem Fenwick made the motion to approve the consent agenda
Councilman Solmonsson second the motion

MOTION PASSED UNANIMOUS

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

- a. **Make recommendation and approve action for Municipal Ordinance Violation 78-16 (junk vehicle) for Clear Lake Shores, Texas property – 19 Tindel.**

Councilwoman Bailey made motion to discuss action to be taken at 19 Tindel
Councilwoman Hoerner second the motion

Mayor Pro-Tem Fenwick asked what *Kevin Harrell's* recommendation is?

Building Official Kevin Harrell stated that he recommend the city have the car removed from the property as previously with junk vehicle issue.

Councilwoman Bailey made motion to approve recommendation stated by Kevin Harrell
Councilwoman Lyons second the motion

MOTION PASSED UNANIMOUS

- b. **Make recommendation and approve action for revocation of the following Waterfront Leases for non-compliance:**

A-013: William Cain – No longer CLS Property owner
B-020: Matthew Donahue – high grass and weeds
B-021A: Peter and Deanne Meeh – high grass and weeds
C-080: Nancy Schwartz – high grass and weeds
C-081: Walker Croft – high grass and weeds

NO ACTION TAKEN

- c. **RESOLUTION 2017-11: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEAR LAKE SHORES, TEXAS APPROVING A REVERTER AGREEMENT IN REGARD TO A PURCHASE OF CERTAIN LAND FROM EDNA SUZANNE LEE.**

George Jones stated that this agreement basically states that the property will revert back to Suzanne Lee or her predecessor if the city fails to comply with the contract agreement i.e. default on payment upon written notice from Ms. Lee. Our attorney and Ms. Lee's attorney recommended that this be part of the contract agreement.

Councilwoman Hoerner made motion to accept Resolution 2017-11 as written
Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

- d. **Authorize the City Administrator and the City Secretary to issue checks for all costs related to the purchase of certain land from Edna Suzanne Lee including, but not limited to, the following: down payment, realtor fees, financial advisor, legal advisor and any other closing costs related to said purchase. Total to be approximately \$150,000.00.**

Authorizes **George Jones** to issue payments for various things that are involved with the closing of property.

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

Councilwoman Bailey asked what portion of the \$150,000.00 is the down payment?

George Jones said that down payment is \$90,000.00.

MOTION PASSED UNANIMOUS

- e. **Appoint a Councilmember to the Waterfront Review Board.**

Mayor Pro-Tem Fenwick made motion to appoint Councilwoman Jan Bailey to the Waterfront Review Board.

Councilwoman Lyons second the motion

MOTION PASSED UNANIMOUS

- f. **Appoint Waterfront Compliance Committee member Kurt Otten to the Waterfront Review Board and Ed Waters as alternate.**

Councilwoman Hoerner made motion to approve item f as written
Councilman Solmonsson second the motion

MOTION PASSED UNANIMOUS

- g. **Consider and approve recommendation from the Waterfront Compliance Committee concerning the "Common Pier" located along Clear Lake Road.**

Councilman Solmonsson from made motion to consider and approve recommendation from WFCC
Councilwoman Bailey second the motion

Kurt Otten, Waterfront Compliance Committee, reported that the common pier is considered unsafe and that action needs to be taken immediately. (the recommendations are attached)

Basically the recommendation is to replace the pier with a 6 month completion date. Each lessee shall be responsible for their portion of the overall project and if they wish to not participate or payment in full is past one year they forfeit their lease back to the City.

Mayor McNamara asked how the "common pier" was to be financed?

Kurt Otten stated that the committee has already received pre-bid proposals and are at the bid price of \$55,000.00 which \$26,000.00 is demolition. They were hoping that the City would supply the funding and be the sole check writer for the project and the leaseholders reimburse the City.

George Jones asked if that included the meter on the pier? **Kurt Otten** stated that Centerpoint said that the meter did not have to be replaced.

Mayor Pro-Tem Fenwick requested clarification on how the project was to be paid for. **Kurt Otten** said that there may be one or two leaseholders that are not in the position to help fund the project right away and would request the City to help in this hardship but by the end of the one year time frame the City would be reimbursed.

Mayor McNamara asked if they wanted the City to advance the money or if they leaseholders were going to pay the City and the City cut the check? **Kurt Otten** said either option. If the leaseholder does not wish to participate they have the option to transfer the lease to someone or to give the lease back to the City in which the City would either auction or pay their portion for the repairs.

Mayor McNamara asked if they had an idea of how many were willing to participate? **Jim Adams** will be the one handling the payments from the leaseholders. To his knowledge all the leaseholders are in except for those that are in the process of transferring right now.

Mayor Pro-Tem Fenwick thanked those involved in preparing the presentation.

MOTION APPROVED UNANIMOUS FOR THE TOP RECOMMENDATION

- h. **Waterfront Leases E-124C, E-125 and E-126: Establish parameters for these leases to prepare for auction: Minimum Bid, amount of days for auction, compliance issues, etc. (City Administrator George Jones)**

Discussion throughout the Council members and first suggestion mentioned was \$1500.00 minimum bid.

Councilwoman Hoerner commented that F-124C is a 45 foot lease and asked if we could transfer 45 feet? **Christy Stroup City Secretary** said that we have an Ordinance in place that the maximum to transfer is 40' unless with the sale of property.

After discussion it was decided to split F-124C into two leases – one at 20 feet and one at 25 feet.

Mayor McNamara recommended all leases to be set at \$100.00 per foot.

Mayor Pro Tem Fenwick made motion to split F-124C into two leases, one that measures 20 feet and one that measures 25 feet and that all 3 leases have a minimum bid set at \$100.00 per linear right of way footage.

Councilwoman Bailey second the motion

MOTION PASSED UNANIMOUS

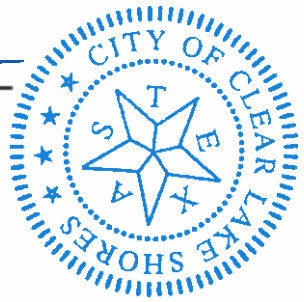
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11. ADJOURNMENT:

Mayor McNamara adjourned the meeting at 7:57 p.m.

8/1/17
Date Approved
Michael McNamara
Mayor Michael McNamara

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**

July 18, 2017

Subject: Report for Council Meeting

STATS:

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

Dispatched to (63) Calls for Service.

Conducted (1,077) Business checks, and (533) checks to residents homes on Vacation watch.

(332) Traffic Contacts were made, (229) Citations issued, with (267) total violations written.

(54) Written Warnings was also issued.

Made (39) arrests.

That is all I have for tonight.

Chief Cook



July 18, 2017 Presentation to Council Waterfront Compliance Committee

The Common Pier is unsafe and has deteriorate beyond repair and is in need of complete replacement. The WFCC recommendation is that the Lessees of the Common Pier (Leases A-001A through A-008), as a group, create a RFQ to rebuild the common pier with a 6-month completion date and release for cost proposals. This group will select and award a contract within the next 6 months (Due: January 18, 2018). Each lessee shall be responsible for their portion of the cost (i.e. cost divided by the number of lessees). Any lessee not wanting to participate or full payment is past due for one year would forfeit their lease to the City. The City will then auction off the lease with the requirement that the minimum bid price would include the cost to rebuild that portion of the lease.

Other considerations open for discussion:

- City should consider funding the rebuilding of the common pier and have the Lessees owe the city for such costs.
- City should consider if a new pier could be built where the land adjacent to the pier is expanded such to allow the installation of a pedestrian path to and over the bridge that would also access the current pier with a bulkhead.