



## 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.

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Tuesday, June 7, 2022

6:30 p.m.

931 Cedar, CLS, TX 77565

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**Present:** Mayor Kurt Otten, Councilman Alex Scanlon, Councilwoman Monica Ledet, Councilman Randy Chronister, Councilman Steve Wirtes, Police Chief Keele, City Secretary Christy Stroup

**Absent:** Councilman Rick Fisher - excused

### 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 led the Pledge of Allegiance to the Flag of the United States of America and the Texas Flag

### 3. Recognition of the High School Senior Graduates Class of 2022

Mayor Otten read proclamation and handed out certificates to the graduating seniors from Clear Lake Shores.

### 4. JOINT PUBLIC HEARING:

Mayor Otten and Steve Wirtes, Chairperson for Planning and Zoning opened the Joint Public Hearing with the City Council and the Planning and Zoning Commission concerning a change in zoning request submitted for:

- a. DS9 Investment Properties LLC, owner of property located at ABST 18 Muldoon Sur Lot 201 Clear Lake Shores, requesting a zoning change from NC: Neighborhood Commercial to C-1: Commercial District.
- b. DS9 Investment Properties LLC, owner of property located at ABST 18 Muldoon Sur Lot 202 Clear Lake Shores, requesting a zoning change from NC: Neighborhood Commercial to C-1: Commercial District.
- c. Suzanne Lee, owner of property located at 1016 Aspen, requesting a Change in Zoning from R-1: Residential District to C-1: Commercial District
- d. Suzanne Lee, owner of property located at 1026 Aspen, requesting a Change in Zoning from R-1: Residential District to C-1: Commercial District

No discussion on a or b. Resident David Thorley – 1014 Aspen Drive, stated that he did not want to live near a commercial lot. Resident Ed Waters – 923 Dogwood, asked if the recoding from the previous Planning and Zoning were on record? Mayor Otten said yes.

Public Hearing closed by Mayor Otten and Chairperson for Planning and Zoning Steve Wirtes at 6:44 pm

**5. REPORTS FROM COUNCIL:**

**Councilman Steve Wirtes:** No report  
**Councilman Rick Fisher:**  
**Councilwoman Monica Ledet:** Attended Workshop for San Jacinto Flood Plain Organization  
**Councilman Alex Scanlon:** Roads and Drainage had a meeting  
**Councilman Randy Chronister:** Congratulations to the graduates  
**Mayor Kurt Otten:** Fourth of July Celebration will be Saturday, July 2<sup>nd</sup> with a parade and refreshments.

**6. STAFF REPORTS:**

**Chief Keele:** May2022 stats; Officer Galvan has started Physical Therapy; new patrol car fleet is in use; Hannah Mason has been hired and will start soon.  
**City Administrator Brent Spier:** Report attached (attachment a)

**7. COMMITTEE REPORTS:**

**Parks and Pool:** Chris Richardson reported concerns of STR owners allowing their guests at pool; kids are being seen swimming at boat ramp  
**Roads and Drainage:** Alex Scanlon said Blue Point is going start in approximately 3 weeks; cracks around island roads are all sealed  
**Zoning Board of Adjustments:** Patrick Michaelski stated no meeting scheduled  
**Planning and Zoning:** Patrick Michaelski stated that the meeting will be held June 27<sup>th</sup>.  
**Waterfront Compliance Committee:** Doug Whitmarsh stated that the waterfront numbers have all been replaced; working with City Council on the renewing of the waterfront lease agreement.

**8. CIVIC CLUB:**

Georgette South reported the Fourth of July celebration is July 2<sup>nd</sup> and volunteers are needed; Back to School party is scheduled for August but not an exact date yet; Civic Club raised \$1,400.00 for Officer Galvan and his family; volunteers are always needed and welcome for all events put on by Civic Club.

**9. 60<sup>th</sup> ANNIVERSARY CELEBRATION:**

Georgette South said that you can purchase tickets now for the Gala on December 8<sup>th</sup>.

**10. ECONOMIC DEVELOPMENT CORPORATION:**

Brent Spier stated that there are no significant issues to report.

**11. PUBLIC COMMENTS:**

Several comments by residents and STR owners were made concerning the STR homes in the neighborhood. Most comments were directed towards enforcing the STR ordinance and also concerns of the conditions of the homes.

**12. CONSENT AGENDA:**

- a. Check Register: 04/28/22 thru 06/01/22
- b. CC/WCC Lease Agreement Workshop Minutes 04/27/22
- c. CC Meeting Minutes 05/03/22
- d. Waterfront Transfer F-135B: Dean cole to Gregory & Meredith Cooney

**CONSENT AGENDA PASSED**

**13. PRESENTATION OF THE FY21 AUDIT from Belt, Harris, Pechacek, LLP.**

**Stephanie Harris** was in attendance and presented the audit to City Council.

No discussion after presentation.

**14. NEW BUSINESS: Discussion and possible action may be taken on the following items:**

- a. Approve return of Police Department Safety Vision recording devices to manufacturer when removed from service.

Councilman Chronister made motion to return Safety Vision equipment when removed from service  
Councilwoman Ledet second the motion

**MOTION PASSED UNANIMOUS**

- b. Resolution 2022-07: A Resolution of the City Council of the City of Clear Lake Shores, Texas, supporting a no wake zone in and around the Clear Lake Area on June 24, 2022, during the Texas Outlaw Challenge.**

Councilman Scanlon made motion to approve Resolution 2022-07  
Councilwoman Ledet second the motion

**MOTION PASSED UNANIMOUS**

- c. Resolution 2022-08: A Resolution of the City Council of the City of Clear Lake Shores authorizing the adoption of the 2022 Galveston County, Texas Hazard Mitigation Plan update.**

Councilwoman Ledet made motion to approve Resolution 2022-08  
Councilman Scanlon second the motion

**MOTION PASSED UNANIMOUS**

- d. Create an ad-hoc committee to review the existing City Ordinances concerning Short-Term Rentals and provide any recommendations for changes to the City Council by the August 02, 2022, City Council Meeting.**

Councilwoman Ledet made motion to create Ad-Hoc Committee for Short Term Rental Ordinance Review and nominates herself for place on the committee  
Councilman Wirtes second the motion

**MOTION PASSED UNANIMOUS**

- e. Approval of dock box installed on Clear Lake Shores Waterfront Lease #B-052A.**

Councilman Scanlon made motion to approve dock box for WF lease #B-052A  
Councilwoman Ledet second the motion

**Discussion:**

Councilman Chronister asked how to regulate these and who regulates them? Mayor Otten stated that City Council approves them.

It was stated that this should be a Waterfront Review Board item.

Councilman Scanlon amended his motion to approve dock box for WF lease #B-052A and all others will be forwarded to Waterfront Review Board.

Councilwoman Ledet second the motion

**MOTION PASSES UNANIMOUS**

- f. Action on DS9 Investment Properties LLC, owner of property located at ABST 18 Muldoon Sur Lot 201 Clear Lake Shores, requesting a zoning change from NC: Neighborhood Commercial to C-1: Commercial District.**

Councilman Chronister made motion to deny zoning change  
Councilman Wirtes second the motion

**MOTION PASSED UNANIMOUS**

- g. Action on DS9 Investment Properties LLC, owner of property located at ABST 18 Muldoon Sur Lot 202 Clear Lake Shores, requesting a zoning change from NC: Neighborhood Commercial to C-1:**

Commercial District.

Councilman Chronister made motion to deny zoning change  
Councilman Wirtes second the motion

MOTION PASSED UNANIMOUS

- h. Action on Suzanne Lee, owner of property located at 1016 Aspen, requesting a Change in Zoning from R-1: Residential District to C-1: Commercial District Suzanne Lee, owner of property located at 1026 Aspen, requesting a Change in Zoning from R-1: Residential District to C-1: Commercial District

Councilwoman Ledet made motion to deny zoning change  
Councilman Wirtes second the motion

MOTION PASSED UNANIMOUS

- i. Action on Suzanne Lee, owner of property located at 1026 Aspen, requesting a Change in Zoning from R-1: Residential District to C-1: Commercial District

Councilwoman Ledet made motion to deny zoning change  
Councilman Scanlon second the motion

MOTION PASSED UNANIMOUS

- j. 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 detrimental effect on the position of the governmental body in negotiations with a third person.

Recess Council Meeting into Executive Session: 8:16 pm  
Reconvene into Council Meeting from Executive Session 8:55 pm

- k. 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 detrimental effect on the position of the governmental body in negotiations with a third person.

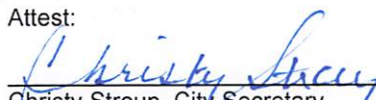
NO ACTION

- l. Adjournment: Mayor Otten adjourned meeting at 8:55 pm

Date Approved: 8-2-22

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

Attest:

  
\_\_\_\_\_  
Christy Stroup, City Secretary



## City Administrator Report

April 20 – June 7, 2022

### Congratulations to our 2022 Graduates!

**COURT PROCESS:** Court will be virtual. Jury Trials scheduled for May 19, 2022, in-person – were settled prior to seating jurors. Court software will be pushed to FY23 following some additional evaluation, and version 10 updates/experience with other courts.

**PARKS:** TPWD Project plans are at 100%, with rev c. and are sealed. Permitting paperwork has been submitted and comments received from Fish and Wildlife Service, GLO and USACE. Plans adjusted to remove rip-rap at end of ramp to prevent scouring, plan in place to address contained fish in cofferdam during construction and drawings adjusted to show USACE jurisdictional area and Datums related to water levels.

Pool deck-o-seal repaired. Will be meeting with electrician regarding troubleshooting of circuits and possible bad fixtures.

**DANIEL DROR AVE:** On-site progress meeting completed. Intersection at Hanson and Daniel Dror is being driven around. PD notified, this is a stop sign T intersection. I received information on delineators and thought they should be installed, at next on-site review we will review status, based on activity it may require concrete barriers to stop large trucks from cutting corner. Intersection was designed to accommodate these vehicles. Centerpoint electric has in just the last few days worked on utility pole relocation at the intersection. A call has been placed regarding timeline and expected completion. Expected May delivery of traffic standards to complete the job. Road will remain closed at FM518 until the intersection is completed with signalization. \*\* Removal of center island in FM518 was progressing last week, not looked at this week. That will ready the intersection for signalization.\*\*

**ECONOMIC DEVELOPMENT CORP (EDC):** Should have report. Minimal activity as research is taking place.

**SH146:** Construction continues and ahead of schedule. Intermittent closures are anticipated and will be published through social media.

**PLAZA TEN 06:** Met on site with C-F and walked area and determined best solution based on a rainy day visit by engineer. Construction is expected to be approximately \$80K based on initial engineer estimate. Plan forthcoming. Contractor with vacuum truck is expected to clean drains soon, as we complete new customer paperwork and they schedule.

**CITY HALL:** Generator(s) serviced in anticipation for storm season. Decking on city hall at generator location will need to be replaced due to decay. Working with vendor to plan a day to take off-line and complete the replacement. Functional and currently safe, but decaying quickly and is only limited to the decking not the joists.

PD Hummer went to a new home at Tarlington State University. Next up is Unit 1406, 2014 Tahoe. It will be readied for auction and it will be placed on Municibid. Currently have some excess electronic parts and old phones listed – no hard drives or CPUs, these have been posted two times without any bids and will be recycled.

**PUBLIC WORKS:** Painting of storage containers at PW garage is nearly complete. New fence shielding applied – we need some more to complete. Internal review of necessary emergency items completed and stocks verified. Tested emergency notification system today – if you did not get a call, text or email you may wish to sign up. PW is working to replace some of the weather damaged birdhouses at Triangle Park. They are aging quickly and have decayed we like to keep them looking good.

Ordered power supplies for lighting on CLR. They have US part number and a total of six units have been ordered. Original part was European made with no US-based stock.

**ROADS/DRAINAGE:** Still trying to find a viable contractor for ditch profiling and cleanouts. Crack sealing has been completed in time of our weather season. High Tide completed five reference points located on the island side and they have been confirmed by USGS and registered. This will improve accuracy and efficiency of surveys to follow. Blue Point Repaving contract signed today with notice to proceed to Derk Harmesson Construction. Contractor is looking at 3 weeks out and anticipates access to be possible by all residents, we will communicate more as that information becomes available. Third party inspector will oversee job on behalf of the city,

**OTHER ITEMS:**

Signed extension for debris monitoring with True North Emergency Services (not related to our own True North Marine). Working on RFPs to release in late 2022 (removal), early spring 2023 (monitor) to start the process again.

Power drop to city hall will be relocated to the primary line feeding off CLR. This will result in greater uptime for our critical operations as a city. This will not require a complete relocation of our primary service, that was very expensive based on our last estimate. Contacted Centerpoint they did not receive our packet or check, new forms sent, check stopped and new payment sent.

Will be looking to schedule some training regarding emergency operations for elected officials. This can be done on-site in CLS with Galveston County OEM personnel, anticipate a 4 hour window with many breaks. Moves quickly with smaller group of known folks. There is no cost.

Budget agenda items and workshops have been scheduled. EDC agenda 7/12 @6:30P, R&D agenda tentatively 7/14 @ 4P, Council Workshop #1 7/22 @1P, and Council workshop #2 (if needed) 8/19 @1P. This will keep us moving forward.

Strategic Plan update/Workshop June 30, 2022 at 1P – Clubhouse. Individual meetings with Ron are scheduled.

**Upcoming dates of interest:**

June 7: CC Meeting, honoring this year's graduates.

June 23: 6:30P Pizza with the Police

September 14: GCMCA Dinner hosted by City for Clear Lake Shores

**AGENDA ITEMS:**

**14. NEW BUSINESS: Discussion and possible action may be taken on the following items:**

**a. Approve return of Police Department Safety Vision recording devices to manufacturer when removed from service. (CA Brent Spier)** This is in response to my request to return products that have not been successfully implemented in service. They agreed to accept return and make a refund, minus any consumables/installed antennas/cables on city hall and hold a 15% re-stocking fee. As removed from service we will collect and make return. We expect no damage to equipment. Recommend approval.

**c. Resolution 2022-08: A Resolution of the City Council of the City of Clear Lake Shores authorizing the adoption of the 2022 Galveston County, Texas Hazard Mitigation Plan update. (CA Brent Spier)** This is part of the MHP that CLS as co-permittee has participated in. This identifies our needs for mitigation to hazards identified and will be the first step in qualifying us for assistance should the need arise from FEMA. Recommend approval.