



Meeting Minutes City Council

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Tuesday, October 3, 2022

6:30 p.m.

931 Cedar, CLS, TX 77565

Present: Mayor Kurt Otten, Councilman Alex Scanlon, Councilwoman Monica Ledet, Councilman Randy Chronister, Councilman Steve Wirtes, Councilman Rick Fisher, City Administrator Brent Spier, Building Official Jason Ellison, Police Chief Keele, City Secretary Christy Stroup

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. REPORTS FROM COUNCIL:

Councilman Steve Wirtes: No report

Councilman Rick Fisher: No report

Councilwoman Monica Ledet: Met with Galveston County Animal Services

Councilman Alex Scanlon: Need volunteers for annual Civic Club Thanksgiving Dinner

Councilman Randy Chronister: No report

Mayor Kurt Otten: National Night Out Oct. 4th at Jarboe; new carpet at City Hall has been installed; Prayers for the families and victims of Hurricane Ian in Florida – remember Hurricane Season is not over until November 30th; Prayers for Amy Weber with the Galv. County Health District – she was in a severe motorcycle accident.

At this time Mayor Otten recessed into Executive Session at 6:34

Reconvened from executive session at 6:58 pm

4. STAFF REPORTS:

Chief Keele: Stats for September 2022 (attachment a)

City Administrator Brent Spier: Introduced new Building Official Jason Ellison; Report attached (attachment b)

Scheduled visitors were moved up to number 5 from number 6

5. SCHEDULED VISITORS:

- a. The following would like to be recognized individually to address concerns regarding the current internal state of the Police Department:

The Clear Lake Shores Police officers submitted a Vote of No Confidence in Chief Tracy Keele. Each officer was given the opportunity to speak as requested.

Cpl Nathan Flores #578: Stated that he had concerns about Head of Agency. April 2, 2022 incident between him and Head of Agency that produced obscene language; August 30, 2022 a former officer would not address supervisor and Cpl. Flores stated that he was insubordinate.

Ofc. Jose Vargas #585: Stated that on 09/01/22 when he entered the office, the Head of Agency used profanity to address his hairstyle. After the incident he said he entered the Head of Agency office and handed in his badge but Asst. Chief David Donaldson convinced him to stay.

Ofc. Hannah Mason #582: Stated that she has been with the department for 4 months and has noticed a lack of communication, the schedule is hard to maintain and that there are issues with officers and the schedule. She said that she can't get enough rest and cannot carry on her normal routine of exercising and being with family due to the schedule.

Resident Mike Pettit – 818 Cedar: Inquired what the schedule was and why it was not acceptable?

Ofc. Mason responded that she had worked this schedule with another agency but it does not work with this agency. The schedule is 2 – 12 hour shifts one week (24 hours) and 5 – 12 hour shifts the next week (60 hours).

Mayor Otten asked Ofc. Mason if she had any other jobs outside working for Clear Lake Shores and she responded that she does not.

Resident Clint Shelton – 139 Clear Lake Road: Asked why can't they all come together and work out a schedule that all are happy with.

David Donaldson stated that the shift does not work because most of the time it leaves one officer on shift. If they have to leave the City for any reason then there are no officers to man the city. If someone needs off for vacation or is sick then it leaves another officer picking up an extra shift. David Donaldson stated that a shift where everyone works 2 – 12 hour shift and 2 – 8 hour shifts a week works better.

Ofc. Erick Galvan #587: Stated that there has been less than desirable people hired by Chief Keele. Chief Keele took the schedule duties away from A.C. Donaldson and started the new schedule. On 09/06/22 the officers took their concerns to Chief Keele and after that A.C. Donaldson was let go from the agency. Since then the schedule has been handed over to Capt. Gist.

Ofc. Galvan read a narrative of text messages exchanged between business owner Amy Albro and Chief Keele. He expressed his concerns over the wording in the text string(s).

Ofc. Madilyn Zanco #581: Stated that while working a shift with Officer Brent Cooley (not longer with the PD) she had been approached from behind while bent over reading her computer screen. She stated Ofc. Cooley pressed up against her from behind. This action was witnessed by Ofc. Chet Rich who is a Reserve for CLSPD. Officer Zanco went to A.C. Donaldson about the incident and was told later by A.C. Donaldson that the Chief stated nothing further was going to happen concerning the event.

David Donaldson stated that he took the complaint to the Mayor Otten and to City Administrator Brent Spier. Mayor Otten it was not brought to him in that context and that he instructed A.C. Donaldson to take the complaint to the Chief.

Ofc. Nathan Shimansky #584: Was not able to attend and Ofc. Flores read aloud the statement from Ofc. Shimansky. It addressed the schedule and the negative effect it has had on the officers. Also thanked A.C. Donaldson for hiring good officers.

Several residents addressed City Council and the Police personnel stating how much they appreciated their service. They said they felt safe and appreciated all they do.

Trisha Scarborough – 615 Oak Rd: Who are the employees suppose to take their complaints too?

James Hagen – 221 Oak Rd.: Thank you to the officers. The city should have resources and avenues for the employees to reach out to concerning events like this.

Sam Fisher – 515 W. Shore Dr.: Enjoys seeing the officers around the island and thanked them for their service to Clear Lake Shores and for making her feel safe.

John Freeman – 922 Cedar: Thanked the Chief, Asst. Chief and Captain for saving his life by taking the time to help him through his situation and for changing his life.

Item h. EXECUTIVE SESSION was moved up and Council recessed at 8:05 pm

City Council reconvened from EXECUTIVE SESSION at 10:47 pm

Item i. Action from EXECUTIVE SESSION:

Councilman Chronister made motion to schedule a Special Meeting for Wednesday, October 12, 2022 for discussion of employment of Police Chief Keele and David Donaldson.

Councilwoman Ledet second the motion

MOTION PASSED UNANIMOUS

6. PUBLIC COMMENTS:

Public Comments were not called by Mayor.

7. CONSENT AGENDA:

- a. Check Register: 09/15/22 thru 09/28/22
- b. CC Meeting Minutes 09/20/22 (Regular)
- c. Waterfront Transfer D-100D: J. Barton Lindsey to Odis Morgan
- d. Galveston County Health District Animal Control

CONSENT AGENDA PASSED

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

- a. Appointment of 2 members to the Waterfront Compliance Committee. Positions expire September 30, 2024.

Councilman Scanlon made motion to appoint Doug Whitmarsh and Craig Ramsey to Waterfront Compliance Committee
Councilman Chronister second the motion

MOTION PASSED UNANIMOUS

- b. Appointment of 3 members to the Roads and Drainage Committee. Positions expire September 30, 2024.

Councilman Fisher made motion to appoint Richard Sowrey, Alex Scanlon and Tony Peterson to Roads and Drainage Committee
Councilwoman Ledet second the motion

MOTION PASSED UNANIMOUS

- c. Appointment of 2 positions to the Zoning Board of Adjustments. Positions expire September 30, 2024.

Councilman Scanlon made motion to appoint Pam Zuteck and Richard Sowrey to the Zoning Board of Adjustments.
Councilman Chronister second the motion

MOTION PASSED UNANIMOUS

- d. Appointment of 4 positions to the Planning and Zoning Commission. Positions expire September 30, 2022.

Councilman Scanlon made motion to appoint Michael Pons, Patrick Michaelski, and Charlotte Jones to the Planning and Zoning Commission
Councilman Chronister second the motion

MOTION PASSED UNANIMOUS

- e. Appointment of 2 positions to the Parks and Pool Committee. Positions expire September 30, 2022.

Councilman Fisher made motion to appoint Diana Chronister to the Parks and Pool Committee
Councilwoman Ledet second the motion

MOTION PASSED UNANIMOUS

- f. Appointment of 2 representatives to the Galveston County Health District Animal Control Services.

Councilman Scanlon made motion to appoint Councilwoman Ledet and Kellen Scanlon to Galveston County Health District Animal Control Services.
Councilman Fisher second the motion

MOTION PASSED UNANIMOUS

(Item f should have been appointment of 2 representatives to the Houston-Galveston Area Council. Item will be brought to next council meeting for appointment of representatives.)

- g. Discussion and possible action on East and West Parking Lot Paving Project.

Councilman Scanlon made motion to approve this project and to seek funding for the project
Councilwoman Ledet second the motion

MOTION PASSED UNANIMOUS

12. ADJOURNMENT:

Mayor called for Adjournment at 11:00 pm

Date Approved: 10/18/22

Attest:

Christy Stroup
Christy Stroup, City Secretary



Kurt Otjen
Mayor Kurt Otjen

City Administrator Report

September 21 – October 3, 2022

Jason Ellison, is in attendance and I am happy to introduce him to the public and city council as the city Building Official. A social media piece will be rolled out in a few days with more details.

SafeBuilt is working with Building and Permitting and will schedule an on-boarding meeting with staff. I anticipate they will be utilized for ground-up commercial development or for off-loading and detailed inspection processes.

COURT PROCESS: Nothing to update.

PARKS: TPWD Project for Shell Bottom Park Boat Ramp needs some additional data. After receipt of this data I believe it is ready for USACE permit approval. I will move forward with bid package and solicitation of bids following that. I will update quarterly report in TPWD Grant portal this week.

DANIEL DROR AVE: There is a 2-3 week delay in electrical service drop for the signal at FM518. I met on-site last week with Galveston County Engineering and Highway Department as well as consulting/design engineer. A rework is proposed for the northern intersection with Hanson Rd. This was based on road wear and observed driving behaviors. Prior to opening I requested cutting of the ROW and sweeping for the road surface. An email received today indicates that they may be able to open to southbound traffic sooner than three weeks. I will follow-up.

ECONOMIC DEVELOPMENT CORP (EDC): Update from Director.

SH146: Construction continues and ahead of schedule. Long delays on Clear Creek Channel Bridge in morning and evenings, plan accordingly.

PLAZA TEN 06: I have a quote for engineered drainage work located on Captain's Corner. This was accounted for in the FY23 budget. This has been signed and is moving forward.

CITY HALL: Decking on city hall at generator location will need to be replaced due to decay, awaiting quote from generator company as it will require complete disconnection/connection. May be a better project outside storm season. Functional and currently safe, but decaying quickly and is only limited to the decking not the joists. This has been built into Hazard Mitigation Plan, that may allow for work should we qualify for funding. Funding opportunities do pop up from time to time, and are unscheduled. Carpet replaced in city hall and all floors are uniform. This is the first time that has been the case during the many uses of the building.

FY23 Budget Approved – completing final edits and will have hard copies for CC and will post to city website.

SLRF Funding – have engaged a consultant to help with NEU reporting to US Treasury. Have submitted all necessary documentation as of today and expect a second tranche of funding in a few weeks. This funding is expected to be around \$300,000 and can be used for any acceptable government purpose. I would suggest the paving of parking lots supporting our Town Center area and making it inviting with less maintenance required.

Currently no vehicles to excess.

PUBLIC WORKS: Working hard to put city hall back together and address some previously unknown safety conditions, such as missing switch plates behind furniture, etc. Also taking care to eliminate waste and

ROADS/DRAINAGE: Blue Point paving was approved for payment today. A single area of concern with minor depression has been documented and contractor is aware, if or when warranty work is needed. Additional data and elevation work completed and provided to R&D as they evaluate projects.

OTHER ITEMS:

September 14 GCMCA Dinner at Opus Ocean Grille was excellent, positive feedback received even that day after. Certainly appreciate the sponsors who made it possible as well as small group of volunteers who made sure every detail was handled.

Motorola equipment has been received to the city. Chief is arranging installation details as we determine best data options. Continuing to evaluate costs, IT suggests two systems at considerable expense, we will land on most efficient and fiscally responsible for our needs – fiber or mobile modems.

As Safety Vision technology is removed from service we will package for return to the vendor. These materials need to be preserved in good condition for return with minimum of wear and no damage.

Upcoming dates of interest:

October 3: City Council Meeting if approved in agenda items.

October 4: National Night Out – in support of police/frie/ems and neighbors.

October 5,6,7: TML Conference in San Antonio (I am attending)

AGENDA ITEMS:

Item 7 D. Galveston County Animal Control – meeting on September 23, 2022 provided we could join the coalition for an annual fee of \$8392.00, lower than FY22 fee with another agency. This may adjust year to year based on call volume. *CA Brent Spier*

Item 8 G. Attached bid documents and request direction from city council related to paving East and West Parking Lots. *CA Brent Spier*