

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
MAY 14, 2019**

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Ronnie Parker presiding. Council Members present: Mayor Ronnie Parker and Council Members Ben Tucker, Kody Fahrenthold, Oscar Adame, Dennis Knippa, Pete Perkins, John Schack, and Council Members Elect Stewart Wilson and Steve Diehl. Staff present: City Manager David Huseman, Finance Director Linnette Barker, and City Secretary Kimberly Sampson Henry. There were approximately 35 guests present.

2. Roll Call

All Council Members were present.

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Howard Upton expressed his concerns regarding the development of Diamond Services on 6th Street. It was supposed to be a \$300,000 state of the art sand blasting facility and it looks like a hay-barn with two open ends. He says TCEQ requires enclosed blasting and the so-called curtains they have in place does not prevent effusions. This is a nuisance and he requested the City do something about it.

Misty Coulter explained her concerns of the standing water near her home. Her husband came to Council in late 2018 and there was supposedly a drainage plan being worked on. She saw where the Council met in early 2019, but they have seen no plan and no work to help them. She questioned what the City is going to do.

Canvass Election:

6. Canvass returns from the General/Special Election held on May 4, 2019, and adopt a Resolution certifying the returns.

City Secretary, Kimberly Sampson Henry provided the results of the General/Special Election of May 4, 2019.

Council Member Place # 1 (2 year – full term)	Dennis Knippa Willie Vaden	307 140
Council Member Place # 3 (2 year – full term)	Stewart Wilson David Pruitt	250 179
Council Member Place # 5 (2 year – full term)	Steve Diehl	374

Proposition 1: The reauthorization of the local sales and use tax in the City of Ingleside at the rate of one-fourth of one percent (0.25%) to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.

Yes	378
No	67
Proposition # 1 approved by 311 votes	

TOTAL # OF VOTERS:

461

Council Member Adame made a motion to approve Resolution # 2019-20 Canvassing the returns from the General/Special Election held on May 4, 2019; and was seconded by Council Member Schack. The motion was approved unanimously.

7. Mayor issues Certificates of Election.

Mayor Parker presented the Certificates of Election to the candidates for office.

8. Oath of Office is administered to the newly elected officials.

Municipal Court Judge, Valarie Glover administered the Oath of Office to the newly elected officers.

9. Mayor issues plaques of appreciation.

Mayor Parker presented a plaques of appreciation to Pete Perks and Oscar Adame.

10. Discussion, consideration, and action in accordance with Section 3.05 of the City Charter regarding the appointment of a Mayor Pro-Tem.

Mayor Parker made a motion to appoint Council Member, Kody Fahrenthold as Mayor Pro-Tem and was seconded by Council Member Knippa. The motion was approved unanimously.

Presentations:

11. Introduction of the Staff recently employed by the City of Ingleside.

Parks and Facilities Manager, Mariana Rodriguez introduced her newest employee, Ruben Ortiz who will be working as a Laborer.

12. Presentation of a Proclamation for Motorcycle Safety and Awareness Month for May 2019.

Mayor Parker read the Proclamation for Motorcycle Safety and Awareness Month for May 2019 and presented it to Pat Chavez.

Consent Agenda: (All of the following items are considered to be self-explanatory by the City Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.)

13. Acceptance and acknowledgement of \$500 donation from Gypsy MC, Corpus Christi Chapter.

14. Discussion, consideration, and action approval of Facility Use Agreement with Ingleside Little League to have exclusive rights to Live Oak Sports Complex baseball and softball fields from September 1, 2019 to February 28, 2020.

15. Discussion, consideration, and action to allow Battling BBQ to host a BBQ cook off at N.O. Simmons Park on August 2nd and 3rd, 2019; allowing them to overnight camp on August 2nd and giving the authorization to close down Ave J from 361 to 1st street.

16. Discussion, consideration, and action of the City Council Minutes dated April 9, April 23, and May 8, 2019.

Council Member Fahrenthold made a motion to approve the Consent Agenda and was seconded by Council Member Wilson. The motion was approved unanimously.

Public Hearings:

17. A Public Hearing regarding an application for a Special Permit filed by James Creek for the following property: Lt 1 Blk 1 Creek Subdivision located at 2347 Kenney Lane to be allowed to place up to six (6) RV's on his property from June 26, 2019 to July 8, 2019 for a family reunion and will not be utilizing any city utilities.

Mayor Parker opened the Public Hearing at 6:51 p.m.

Speaking in favor of the Special Permit was James Creek who explained that his family is planning a large family reunion and he has individuals traveling from as far away as California and Tennessee. They are planning to have about six (6) RVs on his acreage for about two-weeks. They will be hooked up to his electricity and water, but they will not be hooked up his sewer connection. The travel trailers have removable bladders that will be taken to an RV trailer park area for disposal.

There were no speakers against the Special Permit.

Mayor Parker closed the Public Hearing at 6:52 p.m.

Action Items:

- 18. Discussion, consideration, and action of an Ordinance granting a Special Permit to be allowed to place up to six (6) RV's on his property from June 26, 2019 to July 8, 2019 for a family reunion on the property located at Lt 1 Blk 1 Creek Subdivision also known as 2347 Kenney Lane, and further providing for effective date, reading, severance, and publication. (First Reading)**

Council Member Schack asked about parking and where the waste was planned to be dumped. Mr. James Creek referred to the map provided in the Council Packet indicating there is sufficient parking on his six plus acres for the trailers and the other travelers to park. Additionally, he has made arrangements with two RV parks that will allow him to bring the portable waste receptacles to their location for dumping purposes.

- 19. Discussion, consideration, and action of an Ordinance changing the zoning for the following property from its present zoning of M (Multi-Family) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: Lts 1 and 2 Seaside Landing Apartments Subdivision located directly behind HEB facing FM 1069/Main Street. (Final Reading)**

Council Member Diehl questioned the type of business that would be allowed, the amount of traffic it could generate, the number of access points onto FM 1069, and why the apartment complex doesn't use the entrance/exit onto SH-361. MacDonald Companies Representative, Hunter Patterson stated that due to their \$17M investments in the apartments directly behind these lots, they will deed restrict these lots to make sure (1) they use the existing TxDOT entrance/exit onto FM 1069/Main Street; and (2) that the type of business will not reflect poorly on their investment. City Manager, David Huseman also noted that TxDOT will not allow entrances within certain footage from each other onto their roads.

Council Member Schack's concern was not knowing the type of business that could be allowed.

Council Member Knippa questioned if the owner would be amenable to reducing the zoning from C-2 down to C-1 which would reduce the type of business that could be built there. Mr. Patterson said he could relay that to the owners, but he could not speak for them at this meeting. Council Member Knippa asked if the Council would table this agenda item until Mr. Patterson could speak with the owners to reduce the zoning to C-1.

Mayor Parker expressed his concern that this developer was here a few months ago with a potential development along SH-361. This Council turned them down due to not putting commercial along SH-361 as recommended by the City's Future Land Use Map. The same developer is trying to put commercial along FM-1069/Main Street as recommended by the City's Future Land Use Map and the Council is trying to say no, this is sending mixed messages to developers. Both SH-361 and FM 1069/Main Street are safety hazards throughout our town, not just certain areas.

Council Members Fahrenthold and Tucker stated they were concerned with the speed of traffic and there is no protected turn lane. Pastor Gayle Danforth, of the United Methodist Church,

agreed that the speed of vehicles are a concern and she the increased foot traffic. There has been one fatality at the corner of FM-1069/Main Street and Church Street.

Council Member Diehl made a motion to deny the zoning request and was seconded by Council Member Schack. The motion was not approved with Council Members Fahrenthold, Diehl, and Schack voting aye; and Mayor Parker, and Council Members Tucker, Wilson, and Knippa voting no.

Mayor Parker made a motion to approve the Ordinance changing the zoning for the following property from its present zoning of M (Multi-Family) to C-2 (General Commercial) and further providing for effective date, reading, severance and publication: Lts 1 and 2 Seaside Landing Apartments Subdivision located directly behind HEB facing FM 1069/Main Street; and was seconded by Council Member Tucker. The motion did not pass with Mayor Parker and Council Members Tucker, and Knippa voting aye; and Council Members Fahrenthold, Wilson, Diehl, and Schack voting no.

20. Discussion, consideration, and action of an Ordinance amending Ingleside Code of Ordinances Article III-Parks and Receptions Areas, Division 3 – Regulations Section 50-98 – City Parks providing for effective date, readings, publication, and severance. (First Reading)

City Secretary, Kimberly Sampson Henry noted that this Ordinance was previously passed from first to a second reading at the previous Council Meeting; however, due to the amount of changes requested by Council, it was determined to revert back to the first reading again.

Council Member Schack stated it looked as though the main difference in the number of attendees to an event requiring police security was whether alcohol was involved or not. Staff agreed that is the only difference.

Council Member Schack made a motion to pass to a second reading the Ordinance amending Ingleside Code of Ordinances Article III-Parks and Receptions Areas, Division 3 – Regulations Section 50-98 – City Parks providing for effective date, readings, publication, and severance; and was seconded by Council Member Knippa. The motion was approved unanimously.

21. Discussion, consideration, and action of an Ordinance amending the date and time of regularly scheduled City Council Meetings from Tuesday evenings to Wednesday evenings, providing for effective date, reading, publication, and severance. (Final Reading)

City Secretary, Kimberly Sampson Henry noted that due to Public Hearing already scheduled for Council Meetings in June, the effective date for this Ordinance is July 1, 2019.

Council Member Wilson questioned with this was being considered and Mayor Parker explained the conflict with Council and Staff being about to attend Corpus Christi Council Meetings on Tuesdays. Council Member Knippa stated he also thinks offering it on a different night of the week might bring more individuals to the meetings.

Council Member Schack voiced his concern that this might isolate Church goers from attending and being a part of the meetings. Council Member Diehl suggested that anyone can watch the meetings via the internet either at the time of the meeting or as a recorded event.

Council Member Knippa made a motion to approve Ordinance # 2019-12 amending the date and time of regularly scheduled City Council Meetings from Tuesday evenings to Wednesday evenings, providing for effective date, reading, publication, and severance; and was seconded by Council Member Diehl. The motion was approved with Mayor Parker and Council Members Trucker, Fahrenthold, Knippa, and Diehl voting aye; and Council Members Wilson and Schack voting no.

22. Discussion, consideration and action regarding suspending the June 5, 2019 effective date of AEP Texas, Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Cities served by AEP Texas and authorizing intervention in AEP Texas requested rate change proceedings, before the commission; hiring Lloyd Gosselink Attorneys and Consulting Services to

negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this Resolution is passed is open to the Public as required by law; requiring notice of this Resolution to the Company and Legal Counsel.

Council Member Diehl questioned if this costs the City anything. Finance Director, Linnette Barker explained all attorney fees are reimbursable by AEP.

Council Member Knippa made a motion to approve Resolution # 2019-21 suspending the June 5, 2019 effective date of AEP Texas, Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Cites served by AEP Texas and authorizing intervention in AEP Texas requested rate change proceedings, before the commission; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this Resolution is passed is open to the Public as required by law; requiring notice of this Resolution to the Company and Legal Counsel: and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

23. Discussion, consideration and action to appoint/reappoint an individual to serve as the City of Ingleside's Representative to the San Patricio Economic Development Corporation (SPEDC) Board of Directors.

City Secretary, Kimberly Sampson Henry noted the since last week when this agenda item was posted, Mr. Pete Perkins has contacted her stating that he will not be able to accept this appointment.

Council Member Schack made a motion to appoint Oscar Adame and was seconded by Council Member Wilson. The motion was approved unanimously.

24. Discussion, consideration and action to appoint/reappoint an individual to serve as the City of Ingleside's Representative to the Coastal Bend Council of Government.

City Secretary, Kimberly Sampson Henry noted the since last week when this agenda item was posted, Mr. Pete Perkins has contacted her stating that he will not be able to accept this appointment.

Council Member Diehl made a motion to appoint Council Member Kody Fahrenthold and was seconded by Mayor Parker. The motion was approved unanimously.

25. Discussion, consideration and action of a Resolution of the City Council of Ingleside, San Patricio County, Texas appointing/reappointment of Members to the Planning and Zoning Commission.

Mayor Parker made a motion to approve Resolution # 2019-22-A of the City Council of Ingleside, San Patricio County, Texas appointing/reappointment of Members to the Planning and Zoning Commission by appointing David Pruitt; and was seconded by Council Member Schack. The motion was approved unanimously.

26. Discussion, consideration and action of a Resolution of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointment of members to the Ingleside Development Corporation (4-B) Board of Directors.

Council Member Diehl made a motion to approve Resolution # 2019-22-B of the City Council of Ingleside, San Patricio County, Texas, appointing/reappointment of members to the Ingleside Development Corporation (4-B) Board of Directors; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

27. Discussion, consideration and action to adopt a Citizen Participation Plan related to the Texas General Land Office Community Development Block Grant Disaster Recovery (CDBG-DR) Program.

City Secretary, Kimberly Sampson Henry provided an update of the program as a whole. City Manager, David Huseman explained this is one of the many grant required steps in order to receive these funds.

Council Member Schack made a motion to adopt the Citizen Participation Plan related to the Texas General Land Office Community Development Block Grant Disaster Recovery (CDBG-DR) Program; and was seconded by Council Member Diehl. The motion was approved unanimously.

28. Discussion, consideration and action Authorization for the City Manager to enter into a Windstorm Policy agreement to be effective May 26, 2019 and ending May 25, 2020.

Mayor Parker noted that due to unfinished items, we still have two different policies. Once each structure is finalized, it can be moved from the old policy to the new policy.

Council Member Diehl made a motion Authorization for the City Manager to enter into a Windstorm Policy agreement to be effective May 26, 2019 and ending May 25, 2020; and was seconded by Council Member Schack. The motion was approved unanimously.

Executive Session:

N/A

Other:

29. Reports from Staff

A. City of Ingleside expenditures to be paid.

Council Member Schack questioned the amount of funds paid to Commercial Motors and Finance Director, Linnette Barker explained it was for multiple vehicle purchases.

B. Monthly Report from the City Manager.

Council Member Diehl questioned if SH-200 is ongoing and City Manager, David Huseman acknowledged it is still an ongoing project.

Council Member Diehl questioned if the sludge removal affects the capacity of the wastewater plant. Mr. Huseman explained it affects the ability to clean the water; however it does not affect the TCEQ regulations of plant capacity.

Council Member Wilson stated he would prefer the \$22M loan from the Texas Water Development Board to be spent on Streets rather than a new wastewater treatment facility. Mr. Huseman stated there will be a future agenda item to discuss the pros and cons of a new wastewater treatment facility.

C. Engineers report regarding the repairs to the Swan Lake Drainage Project and the repairs to First Street.

Mr. Huseman explained that the engineers that were scheduled to be in attendance tonight could not make it due to illness.

Benny Diegel stated that this last rain of three inches drained really well. His only concern at this point is when the street itself will be fixed. Mayor Parker explained that the contractor is now removing the reclaimed concrete and replacing it with limestone.

Council Member Schack questioned why the City is spending City funds to assist with the drainage of a private lake (Swan Lake). Council Member Diehl agreed it is a private lake; however, it affects other citizens besides those residents surrounding the lake.

Oscar Palacios asked when the Comprehensive Drainage Plan is going to be updated.

30. Requests from Council Members

Council Member Wilson requested updates regarding (1) Latchkey vs. Summer program; (2) Avenue B from Oklahoma to 8th Street falling apart with the drainage work being done in the area; and (3) what happened with the plans for new doors and awning at the Humble Station from Beautification Funds approved several years ago.

Council Member Knippa requested a staff member approach the County Commission about the guard rails the city has that could be donated to use around the County's retention pond. He also requested a future agenda item to separate C-1 and C-2 within the Future Land Use Map.

Council Member Diehl requested future agenda items for (1) Master Street Program, (2) the Street Committee refocusing to be an Infrastructure Committee, (3) to discuss the Director of Infrastructure Services position.

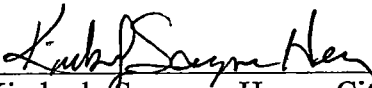
Council Member Schack requested that the Avenue B drawings and engineering report be provided to him.

Council Member Fahrenthold requested a future agenda item to discuss the Council's thoughts and goals for the next year.

31. Adjourn

There being no further business, the meeting was adjourned at 8:34 p.m.

ATTEST:



 Kimberly Sampson Henry, City Secretary

APPROVED:



 Mayor Ronnie Parker