

**CITY OF INGLESIDE
MINUTES
REGULAR CITY COUNCIL MEETING
OCTOBER 23, 2019**

1. Call meeting to order

The meeting was called to order at 6:32 p.m. with Mayor Ronnie Parker presiding. Council Members present: Mayor Ronnie Parker and Council Members Steve Diehl, Kody Fahrenthold, Stewart Wilson, John Schack, Ben Tucker, and Dennis Knippa. Staff present were: City Manager David Huseman, Finance Director Linnette Barker, and City Secretary Kimberly Sampson Henry. There were approximately 50 guests present.

2. Roll Call

All Council Members were present.

3. Invocation

4. Pledge of Allegiance

5. Citizen Comments

Ms. Alicia Gonzales asked the Council where all the tax payers money was going and requested that the streets be fixed.

Mr. Kelly Bowen agreed that the streets are bad and feels the City is using inadequate contractors. Mr. Bowen also expressed his frustrations in working with the City Manager and the Building Official. He claims they are using opinions instead of going by the code and won't return his calls.

Mrs. Francis Sawyer provided a handout regarding an event to honor our Veterans on November 11, 2019 at 10:00 at the Cemetery on FM 1069 with a reception to follow at the Airport Museum. One of the Veterans being recognized is Ingleside's own, Dudley Rey Ives, whom the local VFW Club is named after.

IISD Superintendent, Troy Mircovich, announced that most of the projects related to the 2015 Bond Funds are complete. The next items on the list are a new Concession Stand and Restrooms on the home-side of the Football Fields, to re-roof the Gilbert J. Mircovich Campus, and begin the study for the next Bond issuance.

Barbara Gregg, of the Ingleside Chamber of Commerce, announced they have new Board of Directors in place and they are beginning the process to work with the City Staff regarding the use of Hotel/Motel Funds.

Mr. Ben Tucker invited everyone to attend a Remote Control Flying event for Saturday, 10/26/19 from 9:00 a.m. to 4:00 p.m. across Highway 35 from the Airport Road entrance.

Mayor Parker moved agenda item 27-C forward.

27-C. Update on the City Christmas Tree Lighting Event -

Parks and Facilities Manager, Mariana Rodriguez, invited everyone to attend the tree lighting event and asked the Council to RSVP as to who could work the Council's Booth of Ring Toss. The event is from 6:00-9:00 p.m. on Friday, December 6, 2019.

Presentations:

6. Introduction of the Staff recently employed and/or promoted by the City of Ingleside.

Promotions from within were Assistant Public Works Director, Dale McConnell and

**printed out of
order**

Human Resources Director, Anna Kucera. New hire was Latchkey coach Abigail Canales (not available at this meeting).

7. Presentation of the Ingleside Police Department’s 2018 revised Racial Profiling Report.

Police Captain, Robert Luna, presented the amended 2018 Racial Profile Report and announced that the updated report has been filed with the State as required. With the new software recently installed, there should be no need to amend reports in 2020 for the 2019 data. There were no questions from the Council.

8. Presentation of donation of \$ 9,500 From MODA Midstream for the Parks and Recreation Department activities.

MODA Midstream representatives, Debbie Lindsey Opal and Preston Bailey were in attendance to present a \$9,500 check to the City of Ingleside to be used for the following: \$2,000 for the 2019 Haunted House, \$2,000 for 2019 Santa’s Workshop, \$2,500 for the 2020 Hometown Pride Day, and \$3,000 for 2020 Summer Movies in the Park.

Mayor Parker moved agenda item # 15 forward.

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

IDC Board Member, Cynthia Wilson, stated that two names were submitted: Pastor Twanda Martin and IISD Coach William (Butch) Porter. Both are wonderful representatives for the community. There are going to be a lot of additional meetings with the Parks Master Plan and both candidates have experience with the community. Obviously the Coach has experience with Parks and Recreation activities; however, Pastor Martin has assisted with the Hurricane Harvey recovery and continues to play a role with the mitigation process.

Council Member Schack made a motion to approve Resolution # 2019-52 of the City Council of Ingleside, San Patricio County, Texas, appointing IISD Coach William (Butch) Porter as a new member to the Ingleside Development Corporation (4-B) Board of Directors. The motion died for a lack of second.

Mayor Parker made a motion to approve Resolution # 2019-52 of the City Council of Ingleside, San Patricio County, Texas, appointing Pastor Twanda Martin as a new member to the Ingleside Development Corporation (4-B) Board of Directors; and was seconded by Council Member Knippa. The motion was approved with Mayor Parker and Council Members Diehl, Fahrenthold, Wilson, Tucker, and Knippa voting aye; and Council Member Schack voting no.

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.)

Item # 11 was removed from the Consent agenda.

9. Receive the City’s Financial Reports as of September 30, 2019.

10. Discussion, consideration and action of an Ordinance # 2019-39 amending the City’s Traffic Control Device Schedule in order to add and remove certain School Zone Signs throughout the City Limits. (Final Reading)

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

11. Discussion, consideration and action of an Ordinance of the City of Ingleside, Texas, prohibiting the use of designated groundwater from beneath certain property located within the City of Ingleside and supporting Certification of a Municipal Setting Designation by the Texas Commission on Environmental

Quality; providing a penalty clause; providing a severability clause; and providing an effective date. (Final Reading)

Dr. Kenneth Tram, representing Exxon, noted there were over 300 points of data collected with depths of 20-25 feet each. TCEQ has determined the minimum standards of cleaning and notifications are being completed accordingly. The Municipal Setting Designation (MSD) is only a suggestion by TCEQ, but is not a requirement and does not affect the way Exxon cleans the property. The additional research from the last Council Meeting regarding any wells in the area shows no active wells within the half mile area.

Mayor Parker explained this MSD is for the Exxon property only and this is to add dead restrictions to the property so future land developers 30 or more years from now don't attempt to use a well for potable water.

Council Member Schack questioned why the City would lessen or eliminate Exxon's or TCEQ's responsibility to this property.

Mrs. Debra Sanders reminded everyone that anyone wanting to drill a well applies through the County Health Department, not the City, and therefore the dead restriction appears to be the better support to make sure someone doesn't make a mistake in the future.

Mayor Parker made a motion to table the agenda item until TCEQ can be present to answer the questions; and was seconded by Council Member Knippa. The motion was approved unanimously.

Public Hearings:

- 12. A Public hearing regarding an unsafe structure to make a determination if the structure listed below meets the minimum standards of adopted codes or shall be demolished and removed from the property as per Section 18-299 of the Ingleside City Code:**

**Owners: Juan G. Martinez
Lots 11, 12, and 17' of 13, Block 22, RJ Williams Subdivision
Otherwise known as 2498 Avenue C**

Mayor Parker opened the Public Hearing at 7:42 p.m.

There were no speakers for or against this unsafe structure.

Mayor Parker closed the Public Hearing at 7:43

Action Items:

- 13. Discussion, consideration and action to make a determination if the following structure meets the minimum standards of adopted codes or shall be demolished and removed from the property as per Section 18-299 of the Ingleside City Code - Owner: Juan G. Martinez at Lots 11, 12, and 17' of 13, Block 22, RJ Williams Subdivision, Otherwise known as 2498 Avenue C. (Item 12 above)**

Code Enforcement Officer, Karisma Luke, announced the change in lien holders and the new notices being sent out. There has been no response from the new lien holders.

Council Member Fahrenthold made a motion making a determination that the following structure does not meet the minimum standards of adopted codes and shall be demolished and removed from the property as per Section 18-299 of the Ingleside City Code - Owner: Juan G. Martinez at Lots 11, 12, and 17' of 13, Block 22, RJ Williams Subdivision, Otherwise known as 2498 Avenue C for Demolition Order No 2019-10-001; seconded by Council Member Diehl. The motion was approved unanimously.

- 14. Discussion, consideration and action of Pipeline Right Of Way Easement from MODA Ingleside Oil Pipeline, LLC for a 30' wide permanent easement and a 60' wide temporary construction easement for a total payment of \$210,195.00.**

422
392

(Tabled from 10/8/19)

Building Official, Carey Dietrich explained that the permanent easement does not allow for any trees to be left standing. However, the temporary easement is on a case by case scenario and they will be required to go around the larger trees.

Council Member Schack made a motion to approve the Pipeline Right Of Way Easement from MODA Ingleside Oil Pipeline, LLC for a 30' wide permanent easement and a 60' wide temporary construction easement for a total payment of \$210,195.00; and was seconded by Council Member Knippa. The motion was approved unanimously.

16. Discussion, consideration and action of a Resolution of the City Council of the Ingleside, San Patricio County, Texas appointment/reappointment of Members to the Library Board.

Council Member Diehl made a motion to approve Resolution 2019-53 of the City Council of the Ingleside, San Patricio County, Texas appointment/reappointment of Members to the Library Board; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

17. Discussion, consideration, and action an Ordinance amending the Code of ordinances for the City of Ingleside, Texas, Chapter 50 Streets, Sidewalks and Other Public Places, Article IV-Public Library, Division 2-Library Board, Section 50-126 Created; membership; terms; compensation; removal to include staggered terms in conjunction with all other City council appointment boards and commissions, and providing for effective date, reading, publication, and severance. (First Reading)

As a representative of both the Library Board and the Women's Club, Mrs. Cindy Wilson stated they have no issue with changing to staggered terms or shifting to January through December terms. Her only question was why move the meetings to City Hall that would require additional Staff. City Secretary, Kimberly Sampson Henry explain additional Staff would not be necessary because the key and codes would be provided to the Library Director.

Council Member Wilson made a motion to pass to a second reading the Ordinance amending the Code of ordinances for the City of Ingleside, Texas, Chapter 50 Streets, Sidewalks and Other Public Places, Article IV-Public Library, Division 2-Library Board, Section 50-126 Created; membership; terms; compensation; removal to include staggered terms in conjunction with all other City council appointment boards and commissions, and providing for effective date, reading, publication, and severance; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

18. Discussion, consideration and action of an Ordinance amending the City's Traffic Control Device Schedule to include signs prohibiting the use of Handheld Mobile Device while operating a vehicle on a Public Roadway within the City Limits of the City of Ingleside. (First Reading)

Police Chief, Tammy Burr stated that if this Ordinance is approved, there are 13 entrances to Ingleside that will require signage.

Council Member Schack made a motion to pass to a second reading the Ordinance amending the City's Traffic Control Device Schedule to include signs prohibiting the use of Handheld Mobile Device while operating a vehicle on a Public Roadway within the City Limits of the City of Ingleside; and was seconded by Council Member Tucker. The motion was approved unanimously.

19. Discussion, consideration and action of an Ordinance amending the City's

Traffic Control Device Schedule to include No Parking signs in the 2600 and 2800 Blocks of Mustang Avenue. (First Reading)

Police Chief, Tammy Burr explained why some locations were chosen and others were not. IISD Superintendent, Troy Mircovich stated he agrees with these locations.

Council Member Fahrenthold made a motion to move to a second reading the Ordinance amending the City's Traffic Control Device Schedule to include No Parking signs in the 2600 and 2800 Blocks of Mustang Avenue; and was seconded by Council Member Knippa. The motion was unanimously.

20. Discussion, consideration, and action of an Ordinance amending Financial Control and Policies for the City of Ingleside. (First Reading)

Council Member Diehl made a motion to move to a second reading the Ordinance amending Financial Control and Policies for the City of Ingleside; and was seconded by Council Member Tucker. The motion was approved unanimously.

21. Discussion, consideration, and action of a Resolution by the City Council of the City of Ingleside clarifying the 2019 Bond Funds specifically for the Houghton Subdivision Project.

Council Member Schack made a motion to approve Resolution # 2019-54 by the City Council of the City of Ingleside clarifying the 2019 Bond Funds specifically for the Houghton Subdivision Project, with the inclusion of the map; and was seconded by Council Member Fahrenthold. The motion was approved unanimously.

22. Discussion, consideration, and action of a Task Order with Hanson Professional Services for the Engineering Services on the Houghton Subdivision Project to include the Coach Emery Bellard Drainage Outfall and the Water, Wastewater, Streets, Sidewalks improvements throughout the Houghton Subdivision.

Council Member Kody Fahrenthold questioned the total fee of \$1.1M for the project and asked how many change orders should be expected. City Manager, David Huseman noted this is 8.5% of the total project and therefore is below the usual fee. Hanson Professional Services representative, Craig Thompson explained this is a very large project in the old part of town. We don't know what we will find when the contractor starts digging up the old water and sewer lines. It is a complicated project with three funding sources.

Council Member Wilson questioned if the work on Mustang was both sides, or just the North side. Mr. Huseman stated it is currently for the repairs of the street itself and the North side. Council Member Wilson suggested the drainage on the South side be added to the project.

Council Member Diehl suggested a lot of public outreach for this large project. Mr. Huseman stated there is a communication plan being developed and there will be a future agenda item to discuss the cost involved.

Council Member Schack made a motion to approve the Task Order with Hanson Professional Services for the Engineering Services on the Houghton Subdivision Project to include the Coach Emery Bellard Drainage Outfall and the Water, Wastewater, Streets, Sidewalks improvements throughout the Houghton Subdivision; and was seconded by Council Member Diehl. The motion was approved unanimously.

23. Staff update and discussion regarding the Ingleside on the Bay Wastewater Impact Fees from 2003.

Council Member Schack stated the information provided was not for Impact Fees, they were Wastewater Tap fees only. He is still concerned the Ingleside on the Bay has not

424
394

printed out of
order

paid Impact Fees into our system like everyone else does.

24. Discussion, consideration, and action of an Ordinance of the City of Ingleside, Texas, amending the 2019/2020 General Fund Budget to allow for a total of \$9,500 for the donation from MODA Midstream Sponsorship of Parks and Recreational Events/Activities. (Single Reading)

Council Member Diehl made a motion to approve Ordinance # 2019-40 of the City of Ingleside, Texas, amending the 2019/2020 General Fund Budget to allow for a total of \$9,500 for the donation from MODA Midstream Sponsorship of Parks and Recreational Events/Activities; and was seconded by Council Member Knippa. The motion was approved unanimously.

25. Discussion, consideration and action of Harvey Updates including, but not limited to: Insurance, Buildings and Facilities, FEMA Debris Removal, and Fund 19 Fund Report.

City Manager, David Huseman announced that FEMA has approved a payment of \$238,000 to the City. It has not been received yet; however, it has been approved.

26. Discussion, consideration, and action of the City Council Minutes dated August 28, 2019

Council Member Farenthold made a motion to approve the City Council Minutes dated August 28, 2019; and was seconded by Council Member Knippa. The motion as approved unanimously.

Executive Session:

N/A

Other:

27. Reports from Staff

A. City of Ingleside expenditures over \$3,000. - No Questions from Council

B. Department's Quarterly Reports - No Questions from Council

D. Report from Public Works regarding the use of Hot Mop on City Streets - Public Works Director, Donald Paty explained the term of "Hot Mop" is an old term that is now called "Hot Mix" and it depends on the size of the hole as to whether it is filled with rock only or if it is filled with the hot mix. He presented photos to the Council to show the difference in how the holes are being repaired. Council Members suggested the increase in budget funds to perform all repairs at the highest level and to hire additional temporary manpower if necessary. They also questioned when the Master Street Plan is to be presented to Council. City Manager David Huseman stated they are working on the last few chapters and expect to present it in December 2019.

28. Requests from Council Members.

Council Member Wilson stated that Avenue B is getting rougher and rougher.

Council Member Diehl questioned why the water pressure has decreased to the homes behind the Post Office and Sonic. Public Works Director, Donald Paty stated he will look into that tomorrow.

Council Member Knippa stated that with the Railroad bring petroleum products through the city, there will need to be some education to the public.

29. Adjourn

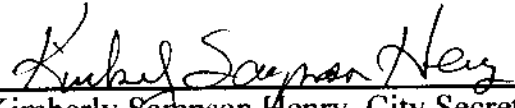
There being no further business, the meeting was adjourned at 8:55 p.m.

ATTEST:


APPROVED:

printed out of
order

425
395



Kimberly Sampson Henry, City Secretary



Mayor Ronnie Parker