

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

A Regular Meeting of the Aransas Pass City Council was held on Monday, June 20, 2016 in the Aransas Pass City Hall, 600 W. Cleveland Blvd., Aransas Pass, Texas 78336. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Adan Chapa, and Council Members Vickie Abrego, Billy Ellis, and Carrie Scruggs were present; Council Member Phillip Hyatt was absent. Also present were City Manager Sylvia Carrillo and City Attorney Allen Lawrence.

1. CALL MEETING TO ORDER.

Mayor Chapa called the meeting to order at 7:00 pm.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

3. PRESENTATION/PROCLAMATIONS:

3.I. Employee Recognition – Utility Billing: Melissa (Mel) Snyder, J.P. Gonzales, and Dolores Salinas.

City Manager Carrillo recognized Utility Billing Employees Melissa Snyder, J.P. Gonzales, and Dolores Salinas and thanked them for their hard work and commitment to the City of Aransas Pass, specifically during the recent conversion of the new Utility Billing System. They were each presented with a Certificate of Recognition.

3.II. Update – Sherwood Forest Area.

City Manager Carrillo informed the Council that the Sherwood Forest re-zoning was scheduled at the last Planning and Zoning Commission meeting, but due to citizen concerns regarding the mailing notice requirements, the Planning and Zoning Commission tabled the item until July.

3.III. Presentation – Storm Update.

City Manager Carrillo provided a powerpoint presentation on the 2016 Flood Event and discussed the following: recapped the time period; 2016 FEMA maps; levee certifiable; Levee Analysis and Mapping Process (LAMP); FEMA predictions on what will happen in a flood event; requirements under new maps, residents in certain areas now required to have flood insurance; referred to an aerial map of the city's drainage; described the outfalls; drainage improvements (Euclid Ditch); referred to a graph of Historic High Tides (actual vs. predicted); best practices for police department dispatch water levels; harbor flooding; pump station current procedures; future drainage changes; efforts of city staff and the impact to staff.

Council members asked questions regarding the standard operating procedures for the pumps; amount of staff hours; a drainage solution; elevation difference; possibility of having pre-filled sand bags; right of way on Saunders; and storm infrastructure.

4. BOARD AND COMMISSION APPOINTMENTS:

There were no board appointments.

5. APPROVAL OF MINUTES:

a. Approval of Regular Meeting Minutes of May 16, 2016.

After the motion was made to approve the minutes, at the end of the meeting Council Member Scruggs referred to the vote on Item 8d and approval of the May 16, 2016 minutes and stated that she had voted No.

A motion was made by Council Member Hyatt to unapproved the minutes, seconded by Mayor Pro Tem Ellis, and the motion carried.

6. CITIZEN COMMENTS:

Susan Uerpel, 1500 W. Matlock, commented on a drainage system that would take water underground and carry the water out; and that the condition of the roads on 13th Street have damaged her vehicle.

James Redmond, 701 S. Lamont, commented that some of the areas in town have been built up and it's his opinion that this has caused flooding; commented that during Hurricane Celia there was no flooding; and commented on the drainage on Saunders.

Unidentified Citizen, Gaslight Village, stated that road conditions are bad; when it rains raw sewage rises at 13th Street; standing water at the intersection at Matlock and 13th Street for two weeks; and expects the City to correct the problem.

July Miller, Gaslight Village, commented on the condition of streets and the need to fix them; and added that Matlock Street needs improvement, and stated that sewage is coming through the pipes.

Ann Melton, 1940 S. Commercial, spoke of the three major hurricanes (Beulah, Carla and Celia); thanked the churches that provided assistance to the elderly; commented on Ransom Road, the floodgates and trash at Arch and Euclid Street from the flood.

Elizabeth Vickers, stated that she provides assistance to the disabled at Oak Park Village; spoke about repairs to her vehicle caused by a 12-inch hole; thanked city employees for the work that they do; a one block stretch at Matlock needs to be repaired.

Jack Huffman, 1406 W. Matlock, commented on the water and raw sewage at Wheeler and 13th Street running into the Housing Project, and between Gaslight Village and 13th Street.

Barbara Klopschinski, 1920 Sherwood Forest, thanked the City for taking care of the ditch problem; and also stated that there is a portion of the road in the area that is sinking.

Russ Point, 1500 W. Matlock, commented about the holes in the city streets, added that the rains occurred around May 10th, and that the holes were just filled in last Friday, and asked why it took so long to fill the holes; also commented on the condition of 13th Street; questioned why 9th Street was paved; the condition of the streets have damaged his vehicle, and also commented on the sewage problem in the housing project area.

Sam DeLeon, 605 S. McCampbell, stated that he assisted during the storm including the elderly; stated that his water bill has increased from \$110 to \$166 to \$300 and distributed copies to the council; questioned the operation of smart readers.

Daniel Jimenez, 140 N. Arch, suggested that the council budget for a five-year Capital Improvement Plan.

Steve Warren, 617 N. Houston, spoke regarding on the following issues: water; smart readers; improving the handicap parking at Shrimporee; and the need for additional vendors at Shrimporee.

Brent Casey, 106 N. Cove Harbor, stated that he recently got a speeding ticket and that upon filing his completion of defensive driving at the Police Department, he was told that Texas Law now requires fingerprinting. Police Chief Blanchard stated he was unaware and would look into the matter.

Steve Warren, 617 N. Houston, informed the council of overgrown grass at the corner of N. Houston.

Betty Garza, 1500 W. Matlock No. 1, commented on the following issues: 1) problems at 13th Street and asked that when repairs begin that consideration is given to the materials used since heavy trucks travel through this street and that the repairs and work last; 2) in the event of a disaster where are the shelters for residents; 3) spoke about garage sales and the fee that residents pay to hold a garage sale and that signs can only be placed at the front yard. She offered suggestions to allow signs in other areas.

Debbe Ellsworth, 1618 W. Nelson, spoke on behalf of the Chamber of Commerce and thanked the City for their support of the Shrimporee event.

7. CONSENT AGENDA:

Mayor Chapa referred to Consent Agenda Items 7.I through 7.IV.

- 7.I Resolution No. 2016-783 approving Tax Resale Property, Suit No. A-07-3063-TX-A, Tract No. 1 and Lot 2, Block 389, City of Aransas Pass, located on Lamont Street.
- 7.II Resolution No. 2016-784 approving Tax Resale Property, Suit No. S-05-1097-TX, Lots 13, 14, 15, and 16, Block G (NCB 571), Makey's First Addition, City of Aransas Pass, San Patricio County, located on the corner at Arch Street.
- 7.III. Resolution No. 2016-785 approving Tax Resale Property, Suit No. S-11-1102-TX, Lots 31 and 32, Block 419, City of Aransas Pass, San Patricio County, Texas, located at Goodnight and McCampbell.
- 7.IV. Ordinance No. 2016-4151 amending the City Code of Ordinances, Chapter 19.5-1, to change the hours of operation at Harbor Point Park.

A motion was made by Mayor Pro Tem Ellis to approve Items 7.I through 7.IV, seconded by Council Member Abrego, and the motion carried; Mayor Chapa "Voting "No".

8. PUBLIC HEARINGS:

Mayor Chapa referred to the Public Hearing items.

- 8.I Public hearing on a Conditional Use Permit for Kevin and Samantha Simon to operate a Bar, Lounge, or Tavern at 208 E. Wheeler.

City Attorney Lawrence declared the public hearing open on the application for a Conditional Use Permit for Kevin and Samantha Simon.

The applicant, Ms. Simon stated that the only concern with the Conditional Use Permit is the paving requirement. She stated that she is opposing to paving the property and wants to keep the crushed oyster shell that is currently there. She stated that there is already bad flooding in that area, and that by paving the property it would create additional flooding. City Attorney Lawrence read condition No.4, stating that all parking must be on an all-weather surface, concrete or asphalt.

City Manager Carrillo stated that this is part of a City ordinance that must be met for all new businesses, and that an alternate method would require an appeal to the Building Standards Board to ask for an alternate method to provide parking.

Fire Chief William Cox stated that the reason for the ordinance is due to the apparatus weight and the strict protocol that they only enter property that has a solid surface.

Susan Uerpall, stated that the City should try to encourage new businesses.

Carol Salinas, Planning and Zoning Commission Member, spoke in regards to the parking and paving requirements and addressed the flooding and water runoff.

City Attorney Lawrence declared the public hearing closed.

A motion was made by Council Member Scruggs to table this item, seconded by Council Member Abrego, and the motion carried.

8.II. ~~TABLED - Consider and Act on the Conditional Use Permit for Kevin and Samantha Simon to operate a Bar, Lounge, or Tavern at 408 E. Wheeler Avenue.~~

8.III. Public hearing on the Plat of Pile Addition, Lot 35-R (1.063 Acres), located between S. Commercial Street (SH 361) and S. Arch Street, north of E. Danforth Avenue

City Attorney Lawrence declared the public hearing open on the Plat of Pile Addition and stated that the Planning & Zoning Commission recommend approval of the re-plat. The applicant, Rocky Chacon stated that they wish to re-plat the property into one lot.

City Attorney Lawrence declared the public hearing closed.

8.IV. Consider and Act on the Plat of Pile Addition, Lot 35-R (1.063 Acres), located between S. Commercial Street (SH361) and s. Arch Street, north of E. Danforth Avenue.

A motion was made by Mayor Pro Tem Ellis to approve Item 8.IV, seconded by Council Member Abrego, and the motion carried.

8.V. Public hearing to consider petition by Redfish Bay Terminal, Inc. to disannex 18.52 acres of land located along the north side of E. Beasley Avenue and East of S. Arch Street.

City Attorney Lawrence declared the public hearing open on the petition to disannex 18.52 acres of land located along the north side of E. Beasley and East of S. Arch Street.

Mr. Tom Utter, Representative for Redfish Bay Terminal stated that the property is 18.52 acres immediately north, and approximately 250 acres owned by the same company and is in the industrial district area. He stated that during the industrial district negotiations, the owners expressed interests in having all the property under the same terms and conditions and would eventually package the whole property and have development in that area.

City Attorney Lawrence declared the public hearing closed and recommended that the motion to disannex be subject to the same property and include in the Redfish Bay Terminal Industrial District Agreement. Mr. Lawrence explained that an item would come back to council to amend the industrial district agreement to include the additional property.

8.VI. Consider and Act on the Petition by Redfish Bay Terminal, Inc. to disannex 18.52 acres of land located along the North side of E. Beasley Avenue and East of S. Arch Street.

A motion was made by Council Member Abrego to approve the disannexation of 18.52 acres to be included in an amended Industrial District Agreement currently with Redfish Bay Terminal, seconded by Mayor Pro Tem Ellis, and the motion carried.

9. CITY MANAGER:

9.I. Consider and Act on issuance of Request for Proposals for Fencing at Little League and Community Park.

City Manager Carrillo stated that this item is for bids for the fencing at the Little League and Community Park.

A motion was made by Council Member Abrego to approve Item 9.I, seconded by Mayor Pro Tem Ellis, and the motion carried.

9.II. Consider and Act on Delinquent Account of Amy Cooper, 605 West Matlock.

Mr. and Mrs. Quincy Cooper, 605 W. Matlock stated that they are requesting to waive the past due water bill. He stated that they have had a water leak in the past, but that it occurred before the smart meter was installed at their home. Mr. and Mrs. Cooper discussed their water usage and distributed a copy of their water bill and the findings from a Plumber. Mr. Cooper stated that their average bill is approximately \$85.00 to \$90.00 monthly; and that their water bill increased to \$261, and in April increased to \$458.00, and in May increased to \$789.00.

City Manager Carrillo explained that the bill is cumulative and that staff takes the readings from the meter; question when the leak was actually fixed; meter was removed and tested and shows the usage and intermittent leak; meters take automatic readings; and that it is the council desire whether to waive the amount.

Mayor Chapa asked how much does the City pay for water, and Ms. Carrillo responded approximately to \$2 to \$3 million depending on usage.

Mr. Sam DeLeon, questioned how the meters are read, and also commented on a high water bill at his residence.

Ann Melton, stated that fire hydrants were tested for pressure, and suggested that the direction of the water flow be directed away from her property.

A discussion ensued on the bills on the usage being identical; waiving the extra fees, waive past due amounts, estimation of the bills, etc.

A motion was made by Council Member Scruggs to waive \$803.51, seconded by Council Member Abrego, and the motion carried.

9.III. Consider and Act on awarding a contract to JJ Fox Construction for bids received to repair stormwater outfalls and associated repairs to 13th Street drainage.

City Manager Carrillo stated that this item relates to the 13th Street improvements and referred to an aerial showing the drainage and the collapse of lines. She added that a bid was received from JJ Fox Construction for \$182,043 for drainage, and the City budgeted \$135,000 from savings from the last bond issuance. She is expecting a revised addendum, and is requesting that the council approve the \$182,043, and will come back with a revised lowered quote that will show items that city staff will take care. Ms. Carrillo added that it will include the Matlock Street intersection and will only include current issues.

A motion was made by Council Member Abrego to approve Item 9.III, a contract with JJ Fox in the amount of \$182,043, seconded by Mayor Pro Tem Ellis, and the motion carried.

10. COMMUNITY ENRICHMENT:

There were no Community Enrichment items.

11. DEVELOPMENT SERVICES:

11.I. Consider and Act on issuance of Request for Proposals for the Fence at the Public Works department.

City Manager Carrillo stated that this is to build a privacy fence around the newly acquired 5 acres at the Public Works Service Center and is required as part of the Zoning Ordinance and will be a wood fence.

A motion was made by Council Member Abrego to approve Item 11.I, seconded by Mayor Pro Tem Ellis, and the motion carried.

12. FINANCE:

There were no Information Technology items.

13. INFORMATION TECHNOLOGY:

There were no Information Technology items.

14. PUBLIC SAFETY:

14.I. Police Department Stats for the month of May 2016.

Police Chief Blanchard provided a report on the statistics for the month of May 2016. He discussed the traffic stops, citations issued, violations cited, arrests, juvenile detentions, and code enforcement. In addition, he reported that in the month of May there were a total of three complaints, and all were internal, and 512 total training hours. Mr. Blanchard also discussed highlights for the month of April for the Patrol Division, CID Division, Training Division, EMC Division and the Animal Control Division

14.II. Consider and Act on awarding service agreement to Emergency Reporting Software for CAD Interface.

Fire Chief William Cox stated that this would enable the Fire department to increase efficiencies and effectiveness with the Fire department report. He added that the system would upload data directly into the ERS account. Mr. Cox stated that a correction needs to be made to the funding, instead of the Police Department – Drug Seizure Funds the funding source would come from Information Technology.

A motion was made by Mayor Pro Tem Ellis to approve Item 14.III, seconded by Council Member Abrego, and the motion carried.

15. EXECUTIVE SESSION:

The meeting was recessed into Executive Session at 9:50 pm under the provisions of Section 551, Texas Government Code to discuss the authority of:

- a. Section 551.074 – Personnel Matters: City Manager.

The Council returned from executive session at 10:26 pm.

- a. Section 551.071 – Personnel Matters: City Manager.

Mayor Chapa announced that no action would be taken.

16. ADJOURNMENT:

There being no further business to come before the Council, Mayor Chapa adjourned the meeting at 10:26 pm.

Adan Chapa
Mayor

Mary Juarez
City Secretary

Approved on: _____