

## ***City of Beach City Council Special Called Meeting Minutes***

The Beach City Council met for a Special Called Meeting on Tuesday,  
**August 6, 2014** at the Beach City Community Building  
12723 FM 2354 Beach City, TX. 77523

**Members Present:** Mayor Billy Combs (presiding), Mayor Pro Tem Jackey Lasater, Aldermen Doug Walker, Paul Newman and Ray Smith

**Members Absent:** Dana Colquitt

**Staff Present:** City Attorney Daniel Jackson, Assistant Secretary Marge Bercaw, and City Secretary Evonne Donnelly

### **I. Call to order.**

Mayor Combs called the meeting to order Wednesday, August 6, 2014 at 6:08 pm, and offered prayer.

Alderman Newman led the Pledge of Allegiance to the United States and Texas flags.

### **II. Citizens Comments.**

None

### **III. Hear report and update from Chambers County Commissioner, Rusty Senac.**

Commissioner Senac reported that the recent roadwork on the FM 2354 cutoff will have to be repaved due to the crew working in the rain. The majority of the work cannot be completed until after Sept. 1, 2014.

Katoen Natie (KTN) is building a logistics terminal in Chambers County on five hundred and fifty acres, north of Ameriport. KTN was shut down by Texas Department of Transportation (TXDOT) due to dirt on the roadway and lack of permission for the entrance to tie into the road.

The FFA has approved a new communications tower up to four hundred and eighty feet, and there were no objections from RWJ Airpark. Chambers County will work with Harris County Radios and the City of Baytown to improve the emergency communications. Chambers County has applied for grants with the City of Baytown.

The STEP program is a grant program from the State through TXDOT that allows the County to bring in Troopers from other regions and they focus on certain areas for enforcement. They can be used for DWI's, or for visibility to get people to pay attention and obey the traffic laws. Commissioner Senac stated that approximately one third of the Commercial Enforcement Vehicle (CVE) officers with DPS are on the border, which keeps them from being visible here.

**IV. Approval of Minutes for Regular Meeting of July 22, 2014.**

**Motion to approve minutes:**

**Motion:** Walker

**Second:** Lasater

**Approved:** 4-0

**V. Executive Session Authorized by Chapter 551, Section 551.071 of the Texas Government Code:**

**a). Concerning legal action on hazardous and unsanitary conditions on properties located at: 10113 & 10115 Walker Lane**

**b). Concerning Aqua Texas' appeal of rate increase with TCEQ in Barrow Ranch Estates.**

Recess for Executive Session at: 6:45 pm.

Reconvene Special Called Meeting at: 7:35 pm.

**VI. Discussion and possible action concerning hazardous and unsanitary conditions on properties located at: 10113 & 10115 Walker Lane.**

Mayor Combs stated that at the next Council meeting there may be a possible update on one of the ordinances from the committee.

**VII. Consider adopting an ordinance appointing a Municipal Judge and Clerk.**

Mayor Combs discussed with Council the proposed ordinance to appoint a Municipal Court Judge, and a Municipal Clerk for the City.

**Motion to approve the ordinance to appoint a Municipal Court Judge and a Clerk.**

**Motion:** Walker

**Second:** Smith

**Approved:** 4-0

**Motion to nominate Judge Larry Cryer as Municipal Court Judge and Evonne Donnelly as Municipal Clerk.**

**Motion:** Lasater

**Second:** Newman

**Approved:** 4-0

**VIII. Discussion and possible action concerning Aqua Texas' appeal of rate increase with TCEQ, in Barrow Ranch Estates.**

Recently, Mayor Combs along with Aldermen Walker and Lasater met with representatives from Aqua Texas to discuss the possibility of reaching an agreement on their appeal of the rate increase.

**Motion to incorporate the proposed settlement rates discussed between the committee and Aqua Texas, and to bring back to Council in ordinance form and inform the rate payers that we will be considering this for approval at our next regularly scheduled meeting.**

**Motion:** Walker

**Second:** Lasater

**Approved:** 4-0

**IX. Hear and consider request from resident Richard Walmsley to abandon a City easement on Mackrell Street.**

**Motion to pull all records associated with the Morrison precedent for further discussion and bring back to Council for consideration.**

**Motion: Smith**

**Second: Newman**

**Approved: 4-0**

**X. Consider revisions and/or updates to Ordinance # 97-6 concerning the Establishment of Trailer Parks in the City limits of Beach City.**

Mayor Combs reviewed Ordinance 97-6 with Council. Council discussed various aspects of the ordinance. Council will bring back the discussion on Ordinance 97-6 to the next meeting.

Mayor Combs stated that Sidney Lewis is no longer with the County Environmental Department and Rex Tunze is the Interim Director.

**XI. Consider contributing funds to a joint effort between TX-DOT, Chambers County, and the City of Beach City to purchase and install speed limit signs with radar controlled speed indicators.**

Mayor Combs' intention with this agenda item is to show a good faith effort to the Texas Department of Public Safety (TXDOT), and Chambers County in attempt to deter speeding on FM 2354 and FM 3180.

Commissioner Senac recently visited with the Assistant City Manager of Mont Belvieu to obtain information on the radar controlled speed limit signs they use. Mont Belvieu's City workers installed and provide maintenance for the signs.

The signs show motorist the speed they are traveling and records the number of vehicles that pass through.

The approximate initial cost is \$13,000.00 for materials to put two signs up in the Beach City area. This cost would not include labor or maintenance. Mayor Combs stated that these signs would be permanent mount signs. Since FM 2354 and FM 3180 are state highways TXDOT will have to take over the maintenance and ownership of both signs.

Mayor Combs proposes that the City commits an unbudgeted amount, between \$7,000.00 & \$10,000.00 toward the purchase of two signs that will come out of the fund balance. The Mayor anticipates this will become a joint effort to include Chambers County and TXDOT; who will hopefully both match the City's committed funding.

**Motion that the City of Beach City is willing to commit ten thousand dollars, with hopefully matching funds with the County and TXDOT to improve safety along route FM 2354 and FM 3180; using TXDOT expertise to determine what the most safe approach is for the expenditure of those funds.**

**Motion: Walker**

**Second: Newman**

**Approved: 4-0**

**XII. Discussion and possible action on Permitting and Permit Fees.**

Mayor Combs and Secretary Donnelly met with Aldermen Colquitt and Walker recently to discuss the possibility of revising the current permitting fees.

Mayor Combs reviewed the current and proposed rates from the committee with Council. The intention here is to clarify and make very clear what the City is

permitting for. Mayor Combs asked Council to review the rates and the existing ordinance prior to the next Council meeting on August 26<sup>th</sup>. There will need to be an adjustment to the ordinance and a resolution will have to be adopted.

**XIII. Consider enforcement action, legal and/or other, on non-compliance to City ordinances.**

Tabled until later date.

**XIV. Update, discussion and possible action on dedication of the Fallen Heroes Memorial and a Proclamation of Appreciation recognizing NRG for their donation.**

Mayor Combs, Aldermen Walker and Lasater recently met at Cedar Crest Cemetery to order the granite for the monuments. The granite will not arrive until the end of the year. The landscaping will be redone around the memorial by Precision Lawns and the owner Clayton Bracey, is donating all the materials and labor. There will be benches placed around the memorial which will be donated as well by an unnamed source at this time.

Alderman Lasater asked if Council should present an engraved plaque to all who have donated to the memorial. Mayor Combs suggested that the City present individual Proclamation of Appreciation plaques to the three money donors, the landscaping company and the company donating the benches. Council will consider adding a plaque of appreciation to the side of the memorial.

Mayor Combs noted that Mike Donnelly with NRG, has made a large impact on the donations to the memorial. Mr. Donnelly sent the donation request to the NRG Charitable Trust, called Mr. Bracey regarding the landscaping and has a company ready to donate the benches. The Council and Mayor are very grateful for his assistance in raising the funding, etc. for this project.

**XV. Hear Report & Updates from the Mayor.**

Mayor Combs updated Council about the status of Robert and Aaron Campise. Jenny Senac is doing much better. Mayor Combs noted that the County erected the new sign in front of the community building; now it's time for the City to get their sign underneath it.

CenterPoint Gas is looking to provide gas to the NorthPoint Subdivision. This may lead CenterPoint Gas to extend the gas line a couple of more miles South to Cedar Gully Road. This possible extension would then tie in the gas lines CenterPoint has in the South part of Beach City.

Mayor Combs feels that traffic has slowed down on FM 2354 and FM 3180.

Alderman Walker noted that the dump trucks and other large vehicles seem to be traveling at a slower rate of speed, and not pulling out in front of the cars as they enter onto FM 2354.

The new water well is currently being drilled at Bayridge Subdivision. The bad news is, there are only ninety residents to share the cost of the new well.

**XVI. Council Members Comments.**

Alderman Newman questioned if The Natural Gas Company (TNGC) has given the City an analysis once a year, as agreed upon. Mayor Combs said that TNGC did not notify the City about the new gas supplier they are currently using, but noted it is the same supplier that CenterPoint Gas uses. Mayor Combs also noted that according to TNGC, the surcharge is within \$17,000.00 of being paid back from the original amount of \$60,000.00. It could possibly be paid off this year.

Alderman Newman stated that he has noticed some of the traffic on FM 2354 and FM 3180 driving so slow that it has caused other issues. He recently witnessed a driver trying to pass three or four cars, to get around the driver who was going well below the posted sixty-five miles per hour speed limit.

**XVII. Adjournment:**

**Motion** made to adjourn at 8:52pm:

**Motion:** Newman

**Second:** Smith

**Approved:** 4-0

Approved: **August 26, 2014:**

  
\_\_\_\_\_  
Mayor Billy Combs

Attest:

  
\_\_\_\_\_  
City Secretary Evonne Donnelly