

## ***City of Beach City Council Regular Meeting Minutes***

The Beach City, City Council met for a Regular Meeting on Tuesday, May 28, 2013 at the Beach City Community Building.

Those present were:

**MAYOR:** Billy Combs

**MAYOR PRO TEM:** Jackey Lasater

**ALDERMEN:** Paul Newman; Doug Walker; Ray Smith; Dana Colquitt

**CITY ATTORNEY:** Daniel Jackson

**CITY SECRETARY:** Evonne Donnelly

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

Mayor Combs called the meeting to order Tuesday May 28, 2013 at 6:02 pm and offered prayer. Alderman Smith 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:**

None

### **IV. Approval of minutes from Regular Meeting of April 23, 2013.**

**Motion** to accept the minutes as revised.

Motion: Lasater

Second: Colquitt

Approved: 5-0

### **V. Financial Consent Agenda;**

**a) Review and approve the Financial Statements for previous month.**

**b) Review and approve Investment Update**

**c) Review and approve Expenditures for the current month**

Mayor Combs noted the Investment update is current as of today, May 28, 2013, but the Balance Sheet is only tallied through April 30,

2013. There will be a discrepancy due to the difference in the end dates.

**Motion** to accept the financials.

Motion: Walker

Second: Newman

Approved: 5-0

**VI. Discussion and possible action on an agreement with the City of Baytown for restrictions on property adjacent to Beach City.**

Mayor Combs, Alderman Colquitt and Alderman Walker met with the City of Baytown City Manager, Deputy Manager and a representative from Baytown's Planning and Zoning department. There is a possibility that there could be limited annexation or a development agreement with Cedar Crossing.

Mayor Combs and Alderman Walker intend to meet with Charles Lupe in the future to discuss further development possibilities in Cedar Crossing. Mayor Combs spoke of a project that is in the works in Cedar Crossing that would encompass three thousand acres near Beach City. There is talk of a one thousand foot setback line for Beach City.

Alderman Walker noted that The City Manager of Baytown called the proposed development heavy industry.

**VII. Consider and approve minor plat for "Kubik Estates" subdivision.**

Mayor Combs reviewed the plat information from Mr. Kubik with Council. Chambers County Engineer Bobby Hall has reviewed the minor plat and it meets the County subdivision ordinances.

**Motion** to approve as platted.

Motion: Smith

Second: Newman

Approved: 5-0

**VIII. Consider and authorize the County engineer to approve dividing of property among family members as allowed by the County's subdivisions regulations.**

Council's approval is needed to allow Chambers County Engineer Bobby Hall to approve or disapprove dividing of property in a subdivision located within the City of Beach City.

**Motion** to consider and authorize the County Engineer to review and approve dividing of property among family members as allowed by the County subdivision regulations.

Motion: Smith

Second: Walker

Approved: 5-0

**IX. Discussion for City Aldermen, Mayor and City Secretary Training.**

Secretary Donnelly reviewed with Council "The Newly Elected Officials" course that is being held July 26-27, 2013 in San Antonio. Aldermen Colquitt and Newman will take the course with Secretary Donnelly.

Mayor Combs and Secretary Donnelly will register for the "Public Funds Investment Act" training in Galveston on September 5 & 6, 2013.

- X. Executive Session Authorized by Chapter 551 of the Texas Government code:**
- a) Section 551.074, Personal issues regarding Office Assistance Personnel.**
  - b) Section 551.071, Consult with Attorney concerning legal issues and possible litigation with The Natural Gas Company.**

Recess: 6:35pm.

Call to Order: 7:36pm

**XI. Consider Action concerning Office Assistance Personnel.**

**Motion:** to extend an offer to Marge Bercaw for the Assistant City Secretary position.

Motion: Walker

Second: Lasater

Approved: 5-0

**XII. Discussion and possible action on request from The Natural Gas Company to recover cost associated with the recent loss of their Gas Supplier.**

**Motion:** to open an inquiry to review the request from The Natural Gas Company to recover the costs associated with the recent loss of their gas supplier

Motion: Newman                      Second: Walker

**Motion Amended by Alderman Newman:** to include setting a preliminary date for the hearing.

Second by Alderman Walker amended.

**Comment** from Mike Lannou with The Natural Gas Company regarding the Motion on the table: Mike Lannou stated that he has not requested anything from Council. Mayor Combs responded that his request came in the form of Certified mail and an e-mail of his intentions to pass on the \$60,000 cost he acquired to the residents of Barrow Ranch. Mike Lannou stated that was not a request it was a

“PGCA”. When asked the meaning of PGCA Mike Lannou said, “Purchase Cost Gas Adjustment”.

**Motion Amended by Alderman Newman:** of his intent to recover the cost associated with the recent loss of his gas supply.

Second by Alderman Walker amended.

Alderman Newman asked about setting a date for the hearing. The Committee will choose a date and Mayor Combs will call a special meeting.

Mayor Combs asked Mike Lannou if he had any further comments before the Council voted. Mike Lannou asked if he would be included in this special committee meeting. Mayor Combs told him very possibly, and that Mr. Lannou has been told before that the committee would love to sit down and speak with him.

Beach City Attorney Daniel Jackson spoke to Mike Lannou regarding the conversation Mr. Jackson had with Mr. Lannou’s attorney.

Mr. Jackson asked Mr. Lannou if he would be amendable to select dates to meet with the Committee regarding his intentions to pass on his costs to the Barrow Ranch Residents. Mr. Lannou said he would like Attorney Jackson to get with his attorney to select the dates and he would be at the meeting. Mr. Lannou requested that the meeting not be held the first week of the June.

Motion: Newman

Second: Walker

Approved: 5-0

**XIII. Discussion and possible action for retaining outside council to consult and assist the City with issues concerning The Natural Gas Company.**

**Motion** to charge the previously appointed committee to hire outside Council to advise the City on what their decision making ability is.

Motion: Walker                      Second: Newman      Approved: 5-0

**Motion to Amend by Smith:** Any other matters associated with this cause.

Amendment of Motion accepted: Walker                      Second: Newman

Approved: 5-0

**XIV. Hear report and updates from the Mayor.**

Commissioner Senac called Mayor Combs to inform him he could not make the Council meeting. The Commissioner did update the Mayor on the two nuisance complaints that the County has been working on in Beach City. One of those properties has been improved upon and looking better. The other property has not complied with the County. Chambers County has notified the property owners of prosecution and will start accessing fines.

FEMA is in the process of updating their new Flood Maps. The base flood elevation would be raised up to a foot in certain areas. It could take a minimum of a year for the new maps to take effect. The Mayor updated the Council on the Building Permits issued as of last Thursday.

**XV. Council Member Comments**

None

**XVI. Adjournment**

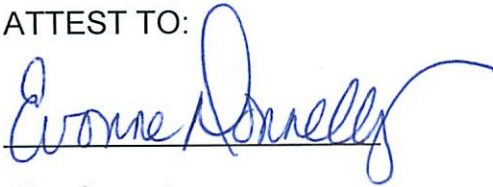
**Motion** made to adjourn at 7:54pm:

Motion: Newman

Second: Lasater

Approved: 5- 0

ATTEST TO:



**City Secretary**  
Evonne Donnelly

APPROVED BY:



**Mayor**  
Billy Combs