

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the City Council of the City of Lake Jackson met on Tuesday February 21, 2017 at 6:30 in Regular Session at 25 Oak Drive, Lake Jackson, Texas, in the Council Chambers at the Lake Jackson City Hall with the following in attendance:

Joe Rinehart, Mayor
Gerald Roznovsky, Council member
Buster Buell, Council member
J. B. Baker, Council member
Heather Melass, Council member
Will Brooks, Council member

William P. Yenne, City Manager
Modesto Mundo, Asst. City Manager
Alice A. Rodgers, City Secretary
Sherri Russell, City Attorney
Pam Eaves, Finance Director
Sal Aguirre, City Engineer
David Van Riper, Public Works Director
Rick Park, Police Chief

PLEDGE OF ALLEGIANCE

Mayor Rinehart led the pledge of allegiance to the United States flag and the Texas Flag.

INVOCATION

Council member Brooks led the invocation.

VISITORS

There were no visitors present to speak on a non agenda item.

COMMENDATIONS

There were no commendations.

KEEP AMERICA BEAUTIFUL PRESENTATIONS

Mayor Rinehart presented the following awards from Keep America Beautiful.

Keep Lake Jackson Beautiful, *Sustained Award of Excellence Award*, winners of the *Sustained Excellence Award* won an Award or scored 90 or above in 2014 & 2015 and scored 90 or above in this year's judging. (Only 6 communities received this award)

Affiliate Award, The Affiliate Award (By Population) recognizes the top affiliate in four population categories.

This is the "Best of the Best"! Keep Lake Jackson Beautiful (KLJB) pursues a vision of improving quality of life by enhancing Lake Jackson's community environment. Litter prevention is the backbone of KLJB, and is carried out with the help of community involvement and initiatives, such as the Great America Cleanup/Don't Mess with Texas" Trash-Off events including paper shredding and litter cleanups. One popular beautification project included tree planting of Red Bud trees along the Veteran's walkway to the Civic Center in honor of our Military. KLJB has been named "Tree City USA" for 35+ years. It has launched several notable recycling projects, including electronic collection events for America Recycles Day. KLJB continues to educate and promote civic responsibility throughout its community as its endeavors to make the "City of Enchantment" an environmentally better place to live, work and play!

Achievement Award, Amy Tasto, *Young Professional Award*. Amy began her volunteer journey 30 years ago when she participated in her 1st citywide cleanup as a young 5 year old Brownie. Little did she know that small step would lead to her one day receiving the Keep America Beautiful 2016 Young Professional Award. Amy has remained an active Keep Lake Jackson Beautiful volunteer. In 2008 she became a KLJB Board Member and quickly rose to the position of Chairman. Being a master Gardner helped Amy with great ideas and leadership to develop and implement plans for Lake Jackson's Xeriscape Park. She has helped to secure grants, volunteers and community partners to help with this project for the last 2 years. Other initiatives and successes Amy has been instrumental in include the Business Affiliate Partner program. Her leadership, motivation, organization and insights were crucial in successfully building this program to include Businesses in the mission of Keep Lake Jackson Beautiful. Amy continues to lead KLJB in its mission to make Lake Jackson "clean & green"!

PROCLAMATION – MARCH 2017 BLEEDING DISORDER AWARENESS MONTH

Mayor Rinehart proclaimed March 2017 as Bleeding Disorder Awareness Month. Sheriff Wagner was present to receive the proclamation.

CONSENT AGENDA

- A. Approval Of Minutes – February 6, 2017
- B. Minutes Of Boards And Commission
- C. Accept Resignation Of Donna Heimburg From The Zoning Board Of Adjustments And Appoint David Howarth To Serve The Unexpired Term

On motion by Council member Buell second by Council member Roznovsky with all members present voting "aye" the consent agenda was approved as follows:

- A. Approval Of Minutes – February 6, 2017 - approved
- D. Minutes Of Boards And Commission - accepted
- E. Accept Resignation Of Donna Heimburg From The Zoning Board Of Adjustments And Appoint David Howarth To Serve The Unexpired Term – accepted and appointed

DISCUSS AND CONSIDER REQUEST TO CLOSE ONE THE NORTH BOUND LANE OF DIXIE DRIVE FROM PLANTATION DRIVE TO SLADE FIELD FOR THE MAMMOTH TRIATHLON

Chief Park stated they have been working with the group who are putting on the triathlon. The group is asking for the closure of one lane of Dixie Drive from Plantation Drive to Slade Field. They are looking to put this on in November of this year.

On motion by Council member Melass second by Council member Brooks approval was granted for the closure of one north bound lane of Dixie Drive from Plantation Drive to Slade Field for the Mammoth Triathlon for a date in November.

APPROVE THE PURCHASE OF 550 WATER METERS FOR REPLACEMENT PROGRAM AT A COST OF \$52,761.50 FROM AQUA METRIC SALES COMPANY THROUGH HGAC

David Van Riper supplied the following information for consideration:

The Utilities Department has begun to replace meters that do not work with the touch pad and the meters in the system that are older. Staff hopes to reduce water loss from unaccounted for water and increase the efficiency of the meter reading process.

The cost of each meter is \$95.93, and staff is requesting to purchase 550 meter at this time. The goal is to install all of the meters by the end of the fiscal year with current personnel. The purchase will go through HGAC, and will purchase the meters from Aqua-Metrics Sales Company.

On motion by Council member Roznovsky second by Council member Brooks with all members

present voting “aye” approval was granted for the purchase of 550 water meters for replacement program at a cost of \$52,761.50.

DISCUSS AND CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH BAKER AND LAWSON, INC. TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION PLANS FOR HICKORY, LOTUS, OLEANDER, BOIS D’ARC AND SOUTH YAUPON STREETS FOR AN AMOUNT NOT TO EXCEED \$181,700.00

Sal Aguirre supplied the following information for Council consideration:

This is the fourth of the recently approved 2016 Bond Program Projects to be released for development and construction. This continues the systematic rehabilitation program of existing streets and utility infrastructure in the older neighborhoods that the city has set since the 1980.

Associated with this is the reconstruction of approximately a mile of streets consisting of Hickory, Lotus, Oleander, Bois D’Arc, and South Yaupon in the Woodland Park Area N neighborhood area. The underground utilities of water, sanitary sewer and drainage when applicable will be replaced as typically has been the scope.

A proposal of \$181,700.00 for the design leading to the bid portion of the project amounts to a 7% fee of their estimated construction costs of the project. This fee is a reasonable one and keeps within the previous range proposed by them in the most recent Courts and Camellia design assignment.

B&L was selected because of their involvement in the past with similar project as referenced above and their familiarity with staff’s design preferences and their willingness to be flexible to changes and revisions. The fee cost falls well within the estimated and budgeted amount.

On motion by Council member Melass second by Council member Buell with all members present voting “aye” approval was granted for a professional services agreement with Baker and Lawson, Inc. to provide engineering design and construction plans for Hickory, Lotus, Oleander, Bois D’Arc and South Yaupon streets for an amount not to exceed \$181,700.00

DISCUSS AND CONSIDER AN ORDINANCE CREATING A HOTEL OCCUPANCY TAX COMMITTEE – FIRST READING

On motion by Council member Roznovsky second by Council member Melass with all members present voting “aye” an ordinance creating a Hotel Occupancy Tax Committee was passed on first reading.

REPORT FROM SIGN COMMITTEE REGARDING BANNERS, BALLOONS, SPINNERS AND PENNANTS IN THE COMMERCIAL AND MULTI FAMILY AREAS

Mr. Mundo presented the following information for consideration:

The Sign Committee met on January 17th and February 6th to discuss possible changes to the temporary sign regulations after Urban Crest Apartments requested additional banner days.

Recommendations are divided into two separate categories: multi-family residential and commercial. The Committee specifically focused their efforts on banners, pennants, balloons and flags.

The Committee recommends that temporary banners be allowed for no more than 60 days per calendar year and the maximum size shall not exceed 50 square feet. A longer time limit was discussed for Grand Openings but the Committee felt that if the pro-rata language was removed 60 calendar days would be sufficient for banners. The Committee also recommends that the definition of banner also include feathered and teardrop banners (some apartments use teardrop banners as permanent flags while we limit these to 60 days in commercial zones).

The Committee discussed the allowance of temporary and permanent balloons. Currently we allow balloons for 30-days by permit in commercial zones. All agreed that temporary or permanent balloons should not be allowed in multi-family or commercial areas.

Other recommendations include changes to the definitions section so that there is a better understanding of what a flag is versus new types of banners. Staff will prepare an educational brochure specific to apartments to help managers understand the temporary sign ordinance provisions.

SIGNS	Multi-Family Residential	
	Current	Committee Recommendation
Permanent Sign	100 ² ft 4:1 height/width or width/height No Limit on number of signs specified. Sign provisions in Sec 110-71 (16)	No Change to Size 20% of wall space should not be allowed. The limit to the number of signs was not discussed. Move to Sign Ordinance
Banners	Currently there is no provision, however, staff has been allowing banners at apartments under the business sign regulations.	Allow 60 days per calendar year 48 ² Shall be attached to bldg or fence
Pennants & Balloons	Currently there is no provision that allows balloons at apartments. However, there are several apartments that have installed permanent balloons. Staff has begun notifying managers that balloons of any type are not allowed.	Enforce Ordinance
Private Flags	Yes Up to 6 flags	Improve definition of flag and clarify that feather banners are banners and not flags.

SIGNS	Business & Commercial	
	Current	Committee Recommendation
Permanent Sign	Various Requirements	No Change
Banners	Allow 60 days pro rated No size limit No restriction	Allow 60 days per calendar year 50² Improve definition of banners to include feathered banners.
Spinners, Pennants & Balloons	Sec. 78-13 (6) Spinners and pennants a. Approved by City Council for the general benefit of the community; or b. Temporarily for a period not to exceed a cumulative of thirty (30) days per calendar year per location in business and commercial area only.	No Change Delete Section and Do not allow spinners, pennants and balloons.
Private Flags	Yes Up to 1 flag	Improve definition of flag and clarify that feather banners are banners and not flags.

Examples of Possible Changes to Definitions (**Bold is new language**)

Banner: Means a graphic composed primarily of cloth, paper, fabric or other similar non-rigid material **including teardrop banners or feather banners**, supported by wire, rope, poles or other similar means, not including decorative streamers with no lettering thereon.

Flag (private): Means a piece of fabric of distinctive design meant to draw attention to the main entrance of an apartment complex, hotel, church, nursing home, home for the aged, or business **that is specifically designed for display by attaching it to the lanyard of a flagpole.**

Flagpole: Means a freestanding pole with an attached lanyard that is permanently affixed to the ground or a building and is designed for and is intended to be used for the display of 1 or more flags.

Spinners and pennants: Means any sign, display or attention-seeking device (that is not a flag) which spins or flutters when contacted by air currents or is propelled by a mechanic fan, or which makes noise when spinning. Balloons **inflated by any means, secured or unsecured** are also included in this definition if they flutter or move in air currents.

Council asked that these recommendations be brought back in ordinance form.

DISCUSS AND CONSIDER TRAFFIC COMMISSION RECOMMENDATIONS:

- a. Approve Extension Of No Parking On Arrow Wood And Add No Parking On Both Sides Of Tanager Lane During School Drop Off And Pick Up Hours
- b. Approve Traffic Study At Intersection Of Oyster Creek Drive And Hwy 288 Frontage Road In An Amount Not To Exceed \$5,000

Council asked that the no parking on tanager be brought back in ordinance form

Council would like to discuss the traffic study at the intersection of Oyster Creek Drive and Hwy 2888 during the budget process.

RESOLUTION AMENDING THE SPECIAL EVENTS FUND FY 2016-2017 BUDGET BY \$2,500 FOR THE PAN AM GOLF TOURNAMENT AT WILDERNESS PARK

At the January 17th Council meeting Council approved the purchase of a back page advertisement in the amount of \$2,500 for the upcoming Pan American Golf Association Golf Tournament. The City purchased a similar advertisement in 2010.

The Tournament will be held the weekend April 6th – 9th. The tournament will host 300 golfers at several courses. The Wilderness Golf Course will serve as the home course. The Association has stated that most golfers and their families will be staying in Lake Jackson.

The resolution will add the \$2,500 expenditure to the Special Events Fund. The Funds estimated fund balance is approximately \$60,000.

On motion by Council member Brooks second by Council member Melass with all members present voting “aye” a resolution amending the Special Events Fund FY 2016-17 budget by \$2,500 for the Pan Am Golf Tournament at Wilderness Park was adopted.

UPDATE ON DRAINAGE IN THE PARKWOOD SUBDIVISION NEAR MOSS, CHESTNUT AND PALM LANE
PROJECT UPDATES

Received tailwater conditions from the City on 02/02/2017

Finalizing hydraulic model and draft memorandum

Received comments from the City on Phase 2 draft contract on 01/30/2017

Awaiting resolution of wording in Phase 2 Contract between City Attorney and FNI Attorney

UPCOMING ACTIVITIES

Incorporate tailwater conditions into hydraulic model
Submit draft memorandum and H&H models to the City for review

PROJECT SCHEDULE AND UPCOMING DELIVERABLES

Brief draft memorandum documenting methodology and peak flows at key locations and electronic copy of models will be sent within 2 weeks

OUTSTANDING ISSUES OR INFO NEEDS

FNI is still waiting to receive the following data from the City:
Construction/ as built plans for recent development and/or channels/ ditches (specifically the **Kroger** at Dixie Drive and Oyster Creek Drive and the **Woodshore** Subdivisions)

UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. SOUTH PARKING PLACE
- f. WAYSIDE PUB UPDATE

Mayor Rinehart stated that a permit was issued for the demo of the interior of the Lake Theater.

Mayor Rinehart asked if Chicken Express has submitted plans. Sal Aguirre stated they were to start today but the rain delayed them.

Mayor Rinehart asked about Neighbors Emergency in the HEB center. Sal Aguirre stated they are not opening. The developer will build out the shell for another client.

ITEMS OF COMMUNITY INTEREST

Council member Melass stated the Foundation Preparatory is having a fundraiser on April 21st

Mayor Rinehart stated Mission 22 will host a walk beginning at the Civic Center. The walk is in awareness of veterans with PTSD.

Mayor Rinehart stated that April 25 starts the Spring Concert series.

Mayor Rinehart stated that Superintendent Danny Massey allowed the students to miss school for the YAC Summit this month.

ADJOURNMENT

There being no further business the meeting adjourned at 7:27 p.m.

These minutes read and approved this _____ day of _____, 2017.

Joe Rinehart, Mayor

Alice A. Rodgers, City Secretary