

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 Monday April 3, 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  
Will Brooks, Mayor Pro-Tem  
Heather Melass, Council member  
J. B. Baker, 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  
Jeremy Bubnick, Parks & Rec Director  
David Walton, Building Official  
Terri Cardwell, Volunteer Coordinator  
Dee Prebyst,  
Randy Crim, Fire Marshal  
Eddie Herrera, Engineering  
Athelstan Sanchez, Asst. City Engineer

PLEDGE OF ALLEGIANCE

Council member Roznovsky led the pledge of allegiance to the flags.

INVOCATION

Council member Baker led the invocation.

VISITORS

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

PUBLIC WORKS WEEK PROCLAMATION – MAY 21-27, 2017

Mayor Rinehart proclaimed May 21-27, 2017 as Public Works Week.

RECOGNITION OF UTILITY DEPARTMENT EMPLOYEES ON RECEIVING THEIR WATER LICENSES

Dan MaGraw, Utility Supervisor stated that a goal was set in the utilities department for obtaining water and wastewater operator's licenses for department employees. Since the beginning of the year we have been sending employees to training classes and holding our own in-house classroom training to assist and prepare them for the exams.

The Texas Commission on Environmental Quality requires all new operator's to be licensed at a Class "D" level within the first year of employment, and then they move to the Class "C" license and all the way to Class "A".

On behalf of the City of Lake Jackson, he commended, Hector Renteria (WW-C), John Gutierrez (W-C) and Kristina Watson (W-C) for all their hard work and being so dedicated at working towards being a Professional Licensed Operator for the City of Lake Jackson.

ARBOR DAY PROCLAMATION – APRIL 13, 2017

Mayor Rinehart proclaimed April 13, 2017 as Arbor Day.

## SAFE DIGGING MONTH – APRIL 2017

Mayor Rinehart proclaimed April 2017 as Safe Digging Month.

### CONSENT AGENDA

- A. Approval Of Minutes – March 20, 2017
- B. Minutes Of Boards And Commission
- C. An Ordinance Amending Chapter 110 Zoning To Add A Definition For Residential Care Facilities And Use It To Update Language For Nursing Homes, Homes For The Aged, And Homes For The Orphaned In R-4 (Multifamily), B-1 (Neighborhood Business), B-2 (Central Business), And C-1 (Commercial) Zones And To Change The Purpose Of The C-1 Zone, Move Some Of The C-1 Permitted Uses To C-1 Conditional Uses, Add Home Improvement Centers To C-1 Permitted Uses, And Redefine C-1 Accessory Buildings – Second Reading
- D. An Ordinance Rezoning Lot 7, Block 1, Area D (Also Known As 413 Azalea) From B-3 Institutional To R-2 Single Family Residence – Second Reading
- E. Approve Inter-Local Agreement With The Harris County Department Of Education (HCDE) To Join The cooperative Purchasing Program For Goods And Services

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

- A. Approval Of Minutes – March 20, 2017 - approved
- B. Minutes Of Boards And Commission
- C. An Ordinance Amending Chapter 110 Zoning To Add A Definition For Residential Care Facilities And Use It To Update Language For Nursing Homes, Homes For The Aged, And Homes For The Orphaned In R-4 (Multifamily), B-1 (Neighborhood Business), B-2 (Central Business), And C-1 (Commercial) Zones And To Change The Purpose Of The C-1 Zone, Move Some Of The C-1 Permitted Uses To C-1 Conditional Uses, Add Home Improvement Centers To C-1 Permitted Uses, And Redefine C-1 Accessory Buildings – Second Reading – passed and adopted on second and final reading.
- D. An Ordinance Rezoning Lot 7, Block 1, Area D (Also Known As 413 Azalea) From B-3 Institutional To R-2 Single Family Residence – Second Reading – passed and adopted on second and final reading
- E. Approve Inter-Local Agreement With The Harris County Department Of Education (HCDE) To Join The cooperative Purchasing Program For Goods And Services - approved

### DISCUSS AND CONSIDER REQUEST BY MARC HERNES FOR STREET CLOSURE ON NORTH PARKING WAY ON JUNE 9<sup>TH</sup> EVENING, ALL DAY JUNE 10<sup>TH</sup> AND MORNING OF JUNE 11<sup>TH</sup> FOR A POLE VAULTING CIRCUIT

Mark Hearn 234 Sleepy Hollow Drive, told council he has held 12 annual pole vaulting events in the past. The events were previously held at Quintana Beach, however they out grew that location. Some years they have had 200 competitors. He felt this would be a good thing for Lake Jackson. He received signatures from all businesses along the north bound portion of North Parking Place next to the old theater. He has worked to arrange port a potties. The event will consist of two pole vaulting pits next to the theater. There will elevated decking for participants to run on. This usually attracts a crowd between 300-500 people. He would like to do this every year.

Mayor Rinehart said we require stringent requirements. Mr. Hearn's group will need security and restrooms.

Sherry Russell stated a waiver would need to be obtained. She asked if this was an organization putting this on or just Mr. Hearn.

Mr. Hearn stated this was his and not an organization putting on this event.

Mayor Rinehart stated that Mr. Hearn has worked diligently with the local high schools with their students. He suggested Mr. Hearn come by city hall to get a copy of the plan done for the crawfish boil being held downtown.

Council member Roznovsky asked if they had considered the Madge Griffith area to host this event.

Mr. Hearn stated he would like to have it downtown so everyone could walk around and shop. He reviewed the setup of the event.

Council member Brooks asked about security and medical assistance and there would be any available.

Chief Park stated he would speak with Mr. Hearn regarding security.

Mr. Hearn stated they have not had security in the past, but he would get with Chief Parks.

Council member Melass stated she would like to see a mockup of how the “pits” would be set up.

Council asked for more information be brought back to the April 17, 2017 meeting. They did encourage Mr. Hearn to look for a grassy area where this event could be held.

#### APPROVE 2016 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Kevin Cadenhead presented the city’s audit for approval.

On motion by Council member Melass second by Council member Baker with all members present voting “aye” the 2016 Comprehensive Annual Financial Report was approved.

#### DISCUSS AND CONSIDER AN EXCEPTION TO THE CONTRACT FOR THE REHABILITATION OF THE BEECHWOOD WATER TOWER TO ALLOW PRINCIPAL INDUSTRIAL SERVICES TO WORK ON THE WEEKENDS AND HOLIDAYS

David Van Riper, stated the contractor is asking to work for the next two weekends. They will begin early in the morning and stop by 10 p.m. They have gotten behind due to the wind and coating issues. Staff is trying to move this project along to give the residents relief.

Mr. Yenne asked if a staff member had gone to the residents to make them aware of this.

Scott Lawrence Principal Industrial Services, said they talked to the residents however some were not home during the day. Around 4 p.m. they begin the painting. The general consensus he received in talking to Mr. Warner was the residents are worried about the noise and dust. After tomorrow all the blasting would be done. After that they will use a small compressor they will not make any more noise than a lawn mower.

Mayor Rinehart said they needed the company to visit with the neighbors. Come up with a flyer and put it on everybody’s door with a contact number to call back. He did not have an issue with the company working on the weekend, but he did want all the residents contacted.

Mr. Lawrence asked which residents he needed to contact.

Mr. Yenne stated that everybody within 200 feet should be contacted.

Mayor Rinehart asked that the work start 8 a.m. on Saturday and 10 a.m. on Sunday.

Council member Brooks asked how many hours are they working a day leading up to the weekend.

Mr. Lawrence stated they are working 12 hour days.

On motion by Council member Roznovsky second by Council member Melass with all members present voting “aye” approval was granted for an exception to the contract for the rehabilitation of the Beechwood water tower to allow Principal Industrial Services to work on the weekends was approved with the contingencies of starting

at 8 a.m. on Saturday and 10 a.m. on Sunday with a stop time at 7 p.m. on both days with a contingency that flyers are passed out to the residents within 200 feet.

APPROVE PURCHASE OF BUDGETED REPLACEMENT VIDEO SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT FROM DATAVOX NOT TO EXCEED \$72,000.00

This is a scaled down project from full system replacement, this system enhancement involves replacing key components such as the user interface, replacing old cameras with newer and higher resolution digital cameras, and adding cameras to key areas such as the jail and prisoner handling areas.

This is a sole vendor purchase, as the equipment and software currently in use that is proprietary to Datavox and Genetec must interface with equipment being added to the system in order to maintain functionality. This has been reviewed by staff and the City Attorney for compliance.

On motion by Council member Roznovsky second by Council member Melass with all members present voting “aye” approval was granted for the purchase of replacement video surveillance equipment for the Police Department from Datavox in an amount not to exceed \$72,000.00.

AN ORDINANCE AMENDING CHAPTER 110 ZONING TO AMEND THE MAXIMUM HEIGHT OF R-4 (MULTI-FAMILY) TO ADD THE WORDS “OR AS APPROVED BY CITY COUNCIL AFTER RECEIVING THE PLANNING COMMISSION’S RECOMMENDATION TO THE MAXIMUM HEIGHT – SECOND READING

On motion by Council member second Roznovsky by Council member Brooks with all members present voting “aye” an ordinance amending Chapter 110 Zoning to amend the maximum height of R-4 (multi-family) to add the words “or as approved by city council after receiving the planning commission’s recommendation to the maximum height was passed and adopted on second and final reading.

DISCUSS AND CONSIDER AN ORDINANCE AMENDING CHAPTER 42 FIRE PREVENTION AND PROTECTION TO DELETE THE SECTIONS ON MANUFACTURED OR LIQUEFIED PETROLEUM GAS – FIRST READING

Sherri Russell stated that the section being deleted is now obsolete.

On motion by Council member Roznovsky second by Council member Baker with all members present voting “aye” an ordinance amending Chapter 42 Fire Prevention and Protection to delete the sections on manufactured or liquefied petroleum gas was passed on first reading.

DISCUSS AND CONSIDER AMENDING CHAPTER 78 SIGNS IN THE LAKE JACKSON CODE OF ORDINANCE TO REGULATE BANNERS, BALLOONS AND OTHER ATTENTION GRABBING DEVICES ALLOWED IN MULTI-FAMILY, BUSINESS, AND COMMERCIAL AREAS – FIRST READING

Sherri Russel presented the proposed changes to the ordinance.

On motion by Council member Brooks second by Council member Melass with all members present voting “aye” an ordinance amending Chapter 78 Signs in the Lake Jackson Code of Ordinance to regulate banners, balloons and other attention grabbing devices allowed in multi-family, business, and commercial areas was passed on first reading.

UPDATE ON DRAINAGE IN THE PARKWOOD SUBDIVISION NEAR MOSS, CHESTNUT AND PALMLANE

Mr. Sanchez provided the following for the council packet:

Phase I:

Have not been able to make as much progress in reviewing the report and the hydraulic and hydrologic model Freese & Nichols (FNI) sent for Phase I.

Have sent FNI civil support drawings for the developments of Kroger and the Wood Shore Subdivision but still seeking the official as built drawing for Kroger.

Phase II;

FNI has received and signed acknowledging the notice to proceed. A site visit is scheduled for next week after which more detail on the ground survey will begin to include ditches "A" (aka Pine Ditch) & "E" (aka Dixie Ditch #3)

#### 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

Mr. Yenne stated that Wayside Pub has pulled their request for an expansion.

Council member Roznovsky stated the contractors installing the sewer lines in the Mall area are leaving pits open. Mr. Aguirre stated he would take care of that.

Mayor Rinehart stated that bids on South Parking Place will be opened on April 12.

#### ITEMS OF COMMUNITY INTEREST

Mayor Rinehart stated that the spring concert series starts on April 28.

Mayor Rinehart reported that the Mission 22 event well, not as many as attended that they thought would attend.

Council member Baker asked everyone to keep law enforcement and first responders in their prayers after the recent events.

Mayor Rinehart stated that the Lake Jackson Police Association's fundraiser last weekend went well.

Mayor Rinehart reported there are 5-8 18 wheelers parked at the old Randalls store.

#### EXECUTIVE SESSION – IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT SECTION 551.071(I)(A) TO DISCUSS PENDING OR CONTEMPLATED LITIGATION ON TEXAS PROPANE GAS ASSOCIATION VS. RAILROAD COMMISSION OF TEXAS, ET AL

Mayor Rinehart convened the meeting to Executive Session at 7:34 p. m.

Mayor Rinehart reconvened the meeting to open session at 7:52 p.m.

#### ADJOURNMENT

There being no further business the meeting adjourned at 7:52 p.m.

These minutes read and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Joe Rinehart, Mayor

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Alice A. Rodgers, City Secretary

