

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 17, 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  
Buster Buell, Council Member

William P. Yenne, City Manager  
Modesto Mundo, Asst. City Manager  
Sherri Russell, City Attorney  
John Boehm, Asst. to the City Mgr.  
Sally Villarreal, Asst. City Secretary  
Pam Eaves, Finance Director  
Eddie Herrera, Engineering  
Jose Sanchez, Human Resources Director  
Rick Park, Police Chief  
Paul Kibodeux, Asst. Police Chief  
James Cromeenes, Patrol Lieutenant  
Terri Cardwell, Volunteer Coordinator  
Chris Anderson, PD  
Bryan Sidebottom, PD  
Randy Crim, Fire Marshal  
Sal Aguirre, City Engineer  
Athelstan Sanchez, Asst. City Engineer

#### PLEDGE OF ALLEGIANCE

Council member Will Brooks led the pledge of allegiance to the flags.

#### INVOCATION

Council member Buster Buell led the invocation.

#### VISITORS

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

#### ANNUAL POLICE REPORT

Chief Park gave an update of the police department staff. Chief Park discussed the response times have gone up, by design, and accident response times have come down. Training of staff is underway for the department. Traffic accidents are down from last year. Still working on the property crime within the city, family violence has diminished. Narcotics arrest have gone up steadily over the last several years. Chief commended his staff for a job well done. Chief Park introduced his staff; Asst. Police Chief, Paul Kibodeaux, Administrative Lieutenant, Bryan Sidebottom, Patrol Lieutenant James Cromeenes and Detective Lieutenant Chris Anderson. Council member Roznovsky stated that a small local bust can lead to bigger operations. Council member Melass mentioned the need to obtain a permit for Uber drivers. Chief Park confirmed that one is required. All Council members stated their appreciation for their hard work and a job well done.

## ANNUAL REPORT FOR FINE ARTS CENTER – WES COPELAND

Mr. Copeland gave an update of their annual report and went over the registry and statistics for the Center. This year their Spring festival will be a fun filled weekend at a lower price point in hopes to bring out more families and people from outside the area. The festival will now be called Center Fest. The Arts festival will have traveling artist, local artists, a stage with live Texas music, including children’s programming and a taco cookoff. The festival will also be bringing back the run for the Arts 5k. Mr. Copeland informed council of all the upcoming events and shows.

## CONSENT AGENDA

- A. Approve Request From The Chamber Of Commerce For A One Day Off Premise Beer License For The Taste Of The Town At The Brazos Mall On April 30th, 2017
- B. Discuss And Consider An Ordinance Amending Chapter 42 Fire Prevention And Protection To Delete The Sections On Manufactured Or Liquefied Petroleum Gas – Second Reading
- C. 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 – Second Reading
- D. Discuss And Consider Resolution Approving Year End Transfers From General Fund To General Projects (\$1,300,000); Transfers From Utility Fund To Utility Projects (\$375,000)

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

- A. Approve Request From The Chamber Of Commerce For A One Day Off Premise Beer License For The Taste Of The Town At The Brazos Mall On April 30th, 2017
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## DISCUSS AND CONSIDER REQUEST BY MARC HERNS FOR STREET CLOSURE ON NORTH PARKING PLACE 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

Mr. Herns presented his proposal for his pole vault event complete with schematic and security plans. Council member Rosnovsky asked about the security for the event. Chief Park stated at least one officer would need to be present. Mayor Rinehart addressed the possibility of vandalism and asked Mr. Herns to be aware and prepared if it should arise.

On motion by Council member Rosnovsky second by Council member Brooks with all members present voting “aye” the street closure on North Parking Place was approved.

## APPROVE PURCHASE IN THE AMOUNT OF \$186,343.23 FOR EQUIPMENT THROUGH THE PEG INTERLOCAL AGREEMENT WITH BISD

Brittany Rosenbohm and Glen Rankin from BISD were present. Mrs. Rosenbohm gave a summary how the program will work. Mr. Rankin informed council of the staff members who will be involved in the program and their roles and responsibilities. Equipment will be stored at campuses with security and inventory processes underway. Goal is to help the career and technical education program and get as many students interested as possible making it a campus wide experience.

On motion by Council member Rosnovsky second by Council member Brooks with all members present

voting “aye” the purchase for equipment through the PEG Interlocal agreement with BISD was approved.

DISCUSS AND CONSIDER APPROVAL OF FIRE STATION 2 SIGN AND LOCATION IN HONOR OF ANDY ANDERSON

Randy Crim discussed the design for the sign that has been chosen. The sign matches the new signs being installed at city parks. The location of the sign was discussed.

On motion by Council member Rosnovsky second by Council member Buell with all members present voting “aye” the Fire station 2 sign and location in honor of Andy Anderson was approved.

DISCUSS AND CONSIDER CHANGES TO PERSONNEL POLICY REGARDING LEAVE, CATASTROPHIC EVENTS AND SICK LEAVE

Catastrophic Events

Personnel Director, Jose Sanchez stated the purpose of his recommendations. Mr. Yenne explained what the catastrophic event policy does for the City and how it will work. This policy coincides with FEMA guidelines, and must be in our policy. He explained that non-essential employees would be paid their regular scheduled hours when they are evacuated. Essential employees that are required to stay will be paid as the policy states.

On motion by Council member Baker second by Council member Rosnovsky with all members present voting “aye” the catastrophic event policy was approved.

Sick Leave

Personnel Director, Jose Sanchez stated the change would be 90 days to 120 days for accumulated sick leave.

Personal Leave

Changes to the vacation policy include allowing use of vacation after 6 months rather than one year. The revised policy also gives the city manager discretion to grant newly hired directors up to ten PTO days off upon hire.

On motion by Council member Brooks second by Council member Melass with all members present voting “aye” the change to the sick leave and personal leave policy was approved.

APPROVE RESOLUTION TO CARRYOVER BUDGETS FOR THE FOLLOWING 2016 INCOMPLETE PROJECTS: GENERAL PROJECT FUND: DOG PARK PLAN DEVELOPMENT, \$ 10,209; GIS PROTOCOLS FOR DEVELOPERS \$24,480; CITY OWNED SIDEWALK REPAIRS \$ 35,000; EAST SIDE DRAINAGE STUDY \$54,885; ARTIFICIAL RANGE TEE \$ 20,000; PECAN LAKES OUTFALL LINING \$71,500; REACH IN FREEZER IN CART STORAGE AREA \$ 4,000; OUTDOOR BBQ SMOKER / GRILL \$ 3,000; KEG COOLER \$ 2,000; RANGE BALL WASHER \$3,000; ECONOMIC DEVELOPMENT FUND: SOUTH PARKING PLACE DESIGN \$25,765; BUNKER RECONSTRUCTION – JUNE FLOOD \$ 53,442; UTILITY PROJECTS: BEECHWOOD TOWER REPAIR \$ 720,916

Mr. Yenne stated these are being carried over from previous Fiscal Year. Bunker repair has been completed, but the last payment fell into the beginning of FY 17.

On motion by Council member Rosnovsky second by Council member Melass with all members present voting “aye” the resolution to carryover budgets for the following 2016 incomplete projects: general project fund: dog park plan development, \$ 10,209; gis protocols for developers \$24,480; city owned sidewalk repairs \$ 35,000; east side drainage study \$54,885; artificial range tee \$ 20,000; pecan lakes outfall lining \$71,500; reach in freezer in cart storage area \$ 4,000; outdoor bbq smoker / grill \$ 3,000; keg cooler \$ 2,000; range ball washer \$3,000; economic development fund: south parking place design

\$25,765; bunker reconstruction – June flood \$ 53,442: utility projects: Beechwood tower repair \$ 720,916 was approved.

CONSIDER A RESOLUTION DENYING CENTERPOINT ENERGY TEXAS ELECTRICS INTENT TO INCREASE RATES

Sherry stated CenterPoint is increasing rates, this resolution buys us time as it goes to PUC. The City will once again participate with the Gulf Coast Coalition of Cities in opposing this rate increase.

On motion by Council member Rosnovsky second by Council member Buell with all members present voting “aye” the resolution denying CenterPoint Energy Texas Electrics rate increased was approved.

DISCUSS AND CONSIDER RECOMMENDATION FROM THE PLANNING COMMISSION FOR A VARIANCE OF THE HEIGHT RESTRICTIONS OF 35 FEET TO GO TO 45 FEET ON THE RESERVE AT LAKE JACKSON APARTMENTS PROJECT, LOCATED AT 202 FM 2004

Mr. Yenne stated currently for an R-4 (multifamily) project to exceed the height requirement, it had to go through a Planned Unit Residential Zone (PURZ). This change will allow R-4 projects to exceed the height requirement by recommendation of the planning commission and approved by City Council.

On motion by Council member Rosnovsky second by Council member Buell with all members present voting “aye” the change to the sick leave policy was approved.

APPROVE CONTRACT WITH BROWN AND GAY ENGINEERS IN AN AMOUNT NOT TO EXCEED \$5,600 FOR A TRAFFIC STUDY FOR A RIGHT TURN LANE ON OYSTER CREEK DRIVE TO THE NORTH BOUND SH 288 FEEDER LANE

Mr. Yenne stated that the traffic commission is split on the need for this extended right turn lane. Different members have observed this area and have different opinions on what is needed there. So, the traffic commission asked for a professional traffic counts study of this area. The cost estimate from Brown and Gay is \$5600. Council member Rosnovsky does not agree with spending the \$5,600 for the study for something that will not be done at this time. All council members agreed.

On motion by Council member Rosnovsky second by Council member Melass with all members present voting “aye” the approval of the contract with Brown and Gay Engineers in an amount not to exceed \$5,600 for a traffic study for a right turn lane on Oyster Creek Drive to the north bound SH 288 feeder lane was denied.

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

Athelstan Sanchez, Asst. City Engineer updated the council on the project. The surveying company may be increasing cost. Possibly considering drone scanning for better pricing.

UPDATE ON LOWER BRAZOS RIVER STUDY

Athelstan Sanchez, Asst. City Engineer updated on the study. Photographs were obtained. Observations show the model is close to the actual case.

UPDATE ON CONSTRUCTION PROJECTS

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

There were no questions

ITEMS OF COMMUNITY INTEREST

Council member Baker – BCCA meeting at the LJ Civic Center  
Council member Rosnovsky – Third Coast Aviation, County Judge Sebesta will be speaker  
Randy Crim – Presentation at High Schools about Fire Safety on April 26th.  
Council member Melass thanked David Van Riper and crew for removing graffiti on apt. complex so promptly  
Mayor Rinehart– first day of Spring Concert series April 28<sup>th</sup>

EXECUTIVE SESSION – IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT SECTION 551.071(D)(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 7:40 p. m.

Mayor Rinehart reconvened the meeting to open session at 7:54 p.m.

ADJOURNMENT

There being no further business the meeting adjourned at 7:54 p.m.

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

\_\_\_\_\_  
Joe Rinehart, Mayor

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Alice A. Rodgers, City Secretary