

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, February 5, 2018 at 6:30 p.m. 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
Buster Buell, Council member
Will Brooks, Council member
Matt Broaddus, Council member
Tim Scott, Council member
Gerald Roznovsky, Council member

William P. Yenne, City Manager
Modesto Mundo, Asst. City Manager
Alice A. Rodgers, City Secretary
Sherri Russell, City Attorney
Rick Park, Police Chief
Sal Aguirre, City Engineer
John Boehm, Asst. to City Manager
Jeremy Bubnick, Parks & Rec Director
Eddie Herrera, Engineering Tech
Jose Sanchez, Personnel Director
Athelstan Sanchez, Asst. City Engineer

Sam Liebl, The Facts

PLEDGE OF ALLEGIANCE

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

INVOCATION

Council member Brooks led the invocation.

VISITORS

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

CONSENT AGENDA

- A. Approval of Minutes – Jan. 2, 2018 & Jan. 22, 2018
- B. Boards and Commissions
- C. Approve Election Contract with Brazoria County

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

- A. Approval of Minutes – Jan. 2, 2018 & Jan. 22, 2018
- B. Boards and Commissions
- C. Approve Election Contract with Brazoria County

APPROVE THE PARKS BOARD RECOMMENDATION TO NAME THE NEW DOG PARK, THE BASF DOG PARK IN RECOGNITION OF THE \$50,000 DONATION

Ron Barksdale, Arrowhead said that BASF is very excited about this opportunity. They felt it would be a good addition to the community. Mr. Barksdale and Cindy Suggs presented the city with a \$50,000 check for the construction of the proposed dog park.

On motion by Council member Roznovsky second by Council member Broaddus with all members present voting “aye” approval was granted to name the proposed dog park The BASF Dog Park.

DISCUSS AND CONSIDER CONCERNS FROM MR. MCCAIN ON THE ENFORCEMENT OF THE CITY’S NOISE ORDINANCE

Rod McCain Hyacinth was present to request the council amend the noise ordinance to insert penalties for those who create unnecessary noise. He gave a presentation demonstrating the noise vehicles put out. Mr. McCain also discussed the noise stereo systems put out.

Mr. McCain also asked that council consider establishing a Quiet Zone for the train tracks along Old Angleton Road.

Discussion followed on the cost of nearly \$900,000 for establishing quiet zones. Mr. Yenne and Mr. Mundo reviewed the previous study done for the establishment of quiet zones.

Ms. Russell stated that there were penalties already established for violating the noise ordinance.

There was no action taken on this item.

DISCUSS AND CONSIDER REQUEST FROM THE FILL STATION TO CLOSE THE NORTH BOUND LANE OF PARKING WAY FROM OAK DRIVE TO PARKING PLACE ON FEBRUARY 24TH FROM 2:30 P.M. TO 9:30 P.M. FOR THEIR GRAND OPENING CELEBRATION

Kevin Rosenbaum and Kyle Devine, 120 Cottonwood are requesting to close the north bound lane of Parking Way from Oak Drive to Parking Place on February 24th from 2:30 p.m. to 9:30 p.m. for their Grand Opening Celebration. This will be a crawfish boil with live music. They are concerned for the small children in attendance so near to the traffic so are asking for the road closure.

On motion by Council member Buell second by Council member Brooks with all members present voting “aye” approval was granted to close the north bound lane of Parking Way from Oak Drive to Parking Place on February 24th from 2:30 p.m. to 9:30 p.m. for their Grand Opening Celebration.

APPROVE AMENDMENT TO LEGAL SERVICES AGREEMENT WITH BEST, BEST & KRIEGER TO ASSIST WITH APPLICATIONS TO PLACE TELECOMMUNICATIONS EQUIPMENT IN THE CITY’S RIGHT-OF-WAY.

Sherri Russell stated we have our first application to place small node cells in the city’s right of way. She stated that Rebecca Andrews with Best Best & Krieger helped us draft an ordinance to comply with SB 1004 while still protecting the city and she would like Ms. Andrews to assist with this application process.

On motion by Council member Broaddus second by Council member Roznovsky, with all members present voting “aye” an amendment was approved to legal services agreement with Best, Best & Krieger to assist with applications to place telecommunications equipment in the city’s right of way.

DISCUSS AND CONSIDER AN ORDINANCE AMENDING CH. 90 SUBDIVISIONS TO RESTRICT PLACEMENT OF UTILITY SERVICES IN THE PLANATION VILLAGE SUBDIVISIONS – FIRST AND FINAL

On motion by Council member Brooks second by Council member Buell with all members present voting “aye” to suspend the rules that an ordinance be read on two separate occasions.

This summer, the Texas Legislature passed Senate Bill 1004 that mandates that wireless providers have access to the public right-of-way to install their facilities. Sherri Russell stated that the Plantation Village Subdivision is different from other areas of town in that all the utility lines are all underground. Codifying this prohibition will insure that all utility service facilities installed for the purpose of the distribution of electricity, telephone, telecommunications, gas, cable services or any other such service in the Plantation Village subdivision are placed underground or in dedicated utility easements, drainage rights-of-way, or on existing utility structures.

On motion by Council member Roznovsky second by Council member Scott with all members present voting “aye” an ordinance amending Ch. 90 Subdivisions to restrict placement of utility services in the Plantation Village Subdivisions was passed and adopted on first and final reading.

DISCUSS AND CONSIDER AMENDING CH. 66 PARKS AND RECREATION TO ADD A DEFINITION OF PARKS – FIRST AND FINAL

On motion by Council member Roznovsky second by Council member Brooks with all members present voting “aye” approval was granted to suspend the rule that an ordinance be read on two separate occasions.

Sherri Russell stated that the Parks Chapter does not have a definition of a park and this will help the city protect green spaces.

On motion by Council member Broaddus second by Council member Brooks with all members present voting “aye” an ordinance amending CH 66 Parks and Recreation to add a definition of parks was passed and adopted on first and final reading.

DISCUSS AND CONSIDER AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF LAKE JACKSON, ON SATURDAY, MAY 5, 2018, FOR THE PURPOSE OF ELECTING CERTAIN OFFICERS FOR THE CITY OF LAKE JACKSON – SECOND READING

On motion by Council member Brooks second by Council member Buell with all members present voting “aye” an ordinance ordering an election to be held in the City of Lake Jackson, on Saturday, May 5, 2018, for the purpose of electing certain officers for the City of Lake Jackson was passed and adopted on second reading.

DISCUSS AND CONSIDER AN ORDINANCE OF THE CITY OF LAKE JACKSON, TEXAS, CALLING FOR AN ELECTION TO AMEND THE CITY CHARTER FOR SATURDAY, MAY 5, 2018 – SECOND READING

Larry Parrett 303 Arrowwood Josie LaChance 138 Corkwood. Mr. Parrett said he had been approached by people wondering why we wished to change the charter going from 3 terms to 4 terms for City Council. Mr. Parrett stated he felt with the budget as large as it is, it takes time for a council member to learn the budget process. The vote on their group was 4 members voting for this and Mr. Parrett voting against. Mr. Parrett stated he was not against the change but gave a challenge to the Commission to go out on social media and politic this issue since Council cannot.

Josie LaChance stated that she felt fortunate to have served on the Charter Review Commission. Most people don't realize it is the Charter Review Commission that suggests the items placed on the ballot and not the Council. Most people do not know how much the Mayor or Council is paid. She felt it took time for someone to learn how a city was run and how to prepare a budget. With the city budget as large as it is it takes a council member at least one term to have a grasp on how it functions. She felt it took the first couple of years to learn the process and extending to 4 terms insured knowledgeable council members.

On motion by Council member Buell second by Council member Brooks with all members present voting “aye” an ordinance calling for an election to amend the City Charter for Saturday, May 5, 2018 was passed and adopted on second and final reading.

DISCUSS AND CONSIDER SIGN ORDINANCE AS IT PERTAINS TO TEMPORARY SIGNS NAMELY ELECTION SIGNS AND IF THE “EVENT” IS THE ELECTION DAY OR THE FIRST DAY OF EARLY VOTING

Mr. Yenne stated that for years the staff has interpreted the sign ordinance to allow election signs to be erected 60 days prior to election day. The sign ordinance was changed this past years and reads 60 prior to the “event”. There was some confusion as to whether the event (election) started on the first day of early voting or the actual election day. Staff would like guidance from Council.

Consensus of Council was 60 days from election day.

DISCUSS PARKING OF VEHICLES AND EQUIPMENT IN YARDS IN RESIDENTIAL AREAS

Mr. Yenne stated that Mr. Weigand came before the Traffic Commission regarding parking vehicles or equipment in yards. This was outside of Traffic Commission’s responsibility so they sent it to Council. There is no rule against someone parking in their yard with either vehicles, boats or trailers. The city has no restrictions on this.

Some discussion followed on the rise in this occurrence and how it could affect surrounding property values.

Council asked that staff look into what other cities were doing and bring this back to them.

DISCUSS AND CONSIDER REESTABLISHING FIELD LIGHTING AT DUNBAR PARK

Jeremy Bubnick stated that BISD will be soon be demolishing the Clute Little League Complex in conjunction with the construction of TW Ogg Elementary School. The Clute Little League has been in discussion with the Brazosport Christian School regarding the donation of 6 light poles to be installed at the Dunbar Football Field (where Brazosport Christian School plays their home football and soccer games). The Dunbar Football Field previously was a lighted field; however, the poles were removed due to Hurricane Ike in 2008.

Brazosport Christian School is currently working on securing donated labor and equipment to have the poles moved and installed (on new concrete bases) at Dunbar Park. Our contribution to the project would be the installation and connection of electricity which would be roughly \$60,000. This may prove to be a great opportunity to save substantial funds while improving the facility. Mr. Bubnick stated he wanted to share this possibility with City Council to see if there was any objection to reestablishing lights on this field, prior to moving forward with coordinating the installation.

Council member Brooks felt this would be a good opportunity to take advantage of.

Council member Roznovsky stated there are possibly 12 homes that will be impacted by the lights. They would probably be more impacted by the noise.

Jeremy Bubnick stated that the Christian School currently uses the fields.

On motion by Council member Brooks second by Council member Buell with all members present voting “aye” to pursue putting lights from Clute to the fields at Dunbar Park

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

Phase I: Completed

Phase II (approx. 70% Completion):

Expect to complete review and submit comments to Freese & Nichols (FNI) on the Hydrology & Hydraulic (H&H) models for the existing conditions of coverage under this phase.

Phase III:

Have received an initial draft of the contract for this phase from FNI and will be sending first to Lake Jackson's City Attorney and then to Clute's for their legal scrutiny and modifications if need be. Hope to have the contract signed by the end of February 2018.

No additional electronic images have been sent to FNI by neither Clute nor Lake Jackson since last Council Meeting.

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 was no discussion on construction projects.

ITEMS OF COMMUNITY INTEREST

Council member Roznovsky stated that the BISD Education Foundation fundraiser would be held on February 10.

Council member Brooks stated he will be on jury duty on February 12 for the strategic plan session and could be late.

ADJOURNMENT

There being no further business the meeting adjourned at 8:23 p.m.

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

Joe Rinehart, Mayor

Alice A. Rodgers, City Secretary