

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, May 20, 2019 at 6:30 p.m. in Public Hearing and Regular Session at 25 Oak Drive, Lake Jackson, Texas, in the Council Chambers at the Lake Jackson City Hall with the following in attendance:

Bob Sipple, Mayor  
Buster Buell, Council member  
Vinay Singhania, Council member  
Matt Broaddus, Mayor Pro Tem  
Gerald Roznovsky, Council member  
Jon "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  
Eric Wilson, Public Works Director  
Athelstan Sanchez, Asst. City Engineer  
Paul Kibodeaux, Police Chief  
David Walton, Building Official

PLEDGE OF ALLEGIANCE

Council member Broaddus led the pledge of allegiance.

INVOCATION

Pastor Ruzzio led the invocation.

VISITORS

There were no visitors present.

PRESENTATIONS

PROCLAMATION - NATIONAL PUBLIC WORKS WEEK MAY 19-25, 2019

Mayor Sipple proclaimed May 19-25, 2019 as National Public Works Week and presented Eric Wilson, Public Works Director with the proclamation.

PROCLAMATION – MOTORCYCLE SAFETY AWARENESS

Mayor Sipple proclaimed May 2019 as Motorcycle Safety and Awareness Month.

CONSENT AGENDA

- A. Approval of Minutes – May 6, 2019
- B. Boards and Commissions
- C. Accept resignation from Senior Commission Member Sue Supak

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. Approval of Minutes – May 6, 2019 – approved
- B. Boards and Commissions - accepted
- C. Accept resignation from Senior Commission Member Sue Supak - accepted

DECLARE COUNCIL MEMBERS ELECTED AND ADMINISTER OATH OF OFFICE

Alice Rodgers, City Secretary administered the oath of office to Council members Broaddus, Roznovsky and Baker.

DISCUSS AND CONSIDER REQUEST FROM THE SPCA TO WAIVE THE FEES AT THE CIVIC CENTER ON JULY 13 OR 20 FROM 4 PM TO 10 PM FOR A FUNDRAISER TO ASSIST IN PROVIDING MONIES TO TRANSPORT ANIMALS OUT OF THE AREA

This item was removed from the agenda.

DISCUSS AND CONSIDER REQUEST BY BRAZOSPORT INDEPENDENT SCHOOL DISTRICT FOR PURCHASE OF EQUIPMENT IN THE AMOUNT OF \$63,779.97 FOR THE FY 19-20 BUDGET YEAR

John Boehm, Assistant to City Manager presented this item for council consideration. The city has an agreement with BISD to fund PEG-related equipment costs from our PEG Fund in exchange for the production of a minimum of five videos per school year that can be used on cable channel 16 and the city website. The funding request for \$63,779.97 is for the City's FY19-20 budget.

On motion by Council member Baker second by Council member Broaddus with all members present voting "aye" approval was granted for the purchase of equipment in the amount of \$63,779.97 from the PEG Fund for Brazosport Independent School District for the FY 19-20 budget year.

PUBLIC HEARING TO DISCUSS AMENDING ZONING ORDINANCE TO INCLUDE A DEFINITION OF A MEMBERSHIP CLUB

Mayor Sipple opened the public hearing at 6:52 p.m.

Mr. Yenne stated that what we are talking about is a zoning issue. As many know before there was a restaurant mixed beverage license many of the restaurants in the area got a private club license to be able to serve alcohol. Over the years the TABC's private club and our membership club in our zoning ordinance, which has no definition, kind of got mixed together. Once the restaurant mixed beverage license came along that resolved everything. What is happening is folks are attaching anything that has to do with a private club of some type to this membership designation and it is beginning to allow many things to come in that truly haven't gone through the zoning vetting process with the public or the city council. We talked about having a definition of membership club, but after talking with staff we have come up with simply eliminating membership clubs from the zoning ordinance. What that does is if somebody comes in and asks for something and it fits in the code then that is fine. If what they want doesn't fit in the code, then we could look at getting them added somewhere. This seems cleaner than the struggle with the Planning Commission in finding a definition of membership club. Our zoning ordinance is by prescription. That means if something is listed, it is allowed, if it is not listed it is not allowed. That allows the public the opportunity to comment and allow things to be added through the public hearing process. In this case we have some folks coming in with a cigar bar, if it is not listed we need to find a place to put them. Or if a group wants to come in and not go through that process they simply come in as another allowed use such as a restaurant.

Kyle Devine 120 Cottonwood Street asked if club memberships are eliminated from downtown Lake Jackson where are we going to zone private clubs.

Mr. Yenne stated that as long as it fits the zoning ordinance then it is okay. We are trying to stay away from the TABC designation. Anything that is already here is grandfathered in. For the most part like in the Fill Station's case, they are a restaurant and are in. We are just making sure these

businesses are going through the proper procedures. This was kind of an open door that things started coming through that aren't listed in the zoning ordinance simply by using the phrase private club or membership club. Membership club in the early days was intended to be something like civic organizations or veteran organizations, something like that. Staff thought we could just get rid of the comments about membership clubs and if a group wants to come in and start a business and they want to have members and they fit the zone, we don't have an issue.

Kyle Devine asked if there was any action now or in the future to place private clubs into a zone. Is there an amendment where future private clubs under this definition of TABC allows?

Mr. Yenne said forget the phrase private club, what is the business going to be? These folks want to start a cigar bar, we don't have that listed, so we need to find a place to put it. Or it can come in under restaurant and be a cigar bar as long as it meets those requirements.

Kyle Devine asked if certain restaurants with certain licenses are currently allowed under restaurant. His concern is a number of these bars or restaurants that are constantly on that line, just recently it was 50-50 (food to alcohol ratio) and then just recently in the last 3-4 years it is not 60% alcohol and 40% food. Even on those requirements he knows there are a number of restaurants that struggle to hit those 40% or 60% standards. Say two years from now when a current restaurant goes to reapply for a mixed beverage food license and TABC says you didn't sell 40% food, you sold 30% food you cannot fall into that license. TABC's recommendation is going to be for the restaurant to apply for a private club license. As a business that is already in downtown Lake Jackson that is now changing its type of license to a private club where does that fall into the zoning.

Mr. Yenne said what we need to determine is what is the business and does the business fit into a zone. If it doesn't fit into a zone, then the voters are the people decide this is where we want to put that classification of business. Or they fit into a designation somewhere else. We are getting too confused with the whole designation of private club because that is not a Lake Jackson designation that is a TABC designation. We are just trying to get it back to what it should be, so the folks know what is coming in. We have no objection to whatever people want to consider bringing in, just go through the proper process and give everybody the opportunity to comment on it.

Council member Singhania said if at that point that TABC changes his designation, he would still be grandfathered.

Sherri Russell said he has a restaurant and we have standards for restaurants he would have to meet.

Council member Singhania asked if he was already an existing business downtown....

Ms. Russell said his existing business is a restaurant and is not a private club.

Mr. Devine asked if Lake Jackson's definition would have anything to do with the percentages (alcohol to food ration)? Whether they serve 20,30 or 40% of food. He asked if a restaurant is a restaurant regardless of the type of license they are issued from TABC.

Ms. Russell said a restaurant has a full kitchen and they serve full meals. If you came in and wanted to convert to a private club and stopped serving full meals, there would not be a place in the zoning ordinance for you. Because you would be changing your business to something else.

Mr. Devine said a number of wine bars have opened up in downtown. If he took a date to a wine bar

and they each had two glasses of wine and a small plate of food or two small plates food, at the end of that the food bill would be \$10-20 and the rest would be a \$40-50 wine bill. The idea of a restaurant having to hit that 40% through TABC he did not think it should fall into what Lake Jackson's idea of a restaurant. There are a number of concepts, in more metropolitan areas with restaurants that have topas or small plates where they may not serve a full meal. If club memberships are completely eliminated, he felt private clubs should be recognized by Lake Jackson. If someone wanted to apply with a private club license.

Mr. Yenne stated the public hearing puts this before the public to determine if businesses who had private club licenses fit in the zoning ordinance. If you want to have bars in town, City Council would have to have that discussion to see if they wanted bars, where would they want bars located and under what condition. You have to let the political process follow with where it goes.

Mr. Devine asked if someone in the future applied for a private club license there would not be a place for them in Lake Jackson. But if I am considered a restaurant with a private club license, what is the definition of a restaurant in Lake Jackson.

Council member Roznovsky said as long as they still have a full functioning kitchen they would fall under what a restaurant was. Regardless of what TABC license they had, they would still be a restaurant.

Ms. Rodgers stated that their primary purpose was to be a restaurant. When they opened their business, they opened as a restaurant. It just so happens that some months you have higher alcohol sales than other month. Lake Jackson does not measure what your food to alcohol ratio is. That is TABC. What this Council looks at is what is your primary purpose for your business.

Council member Singhania asked if down the road in the future if a business wants to come in and apply for not serving food and apply for alcohol license, at that point they would go to a public hearing process to determine if they would fit and what would be allowed. It would be on a case by case basis.

Council member Broaddus said he is looking at the C-1 Commercial if we take out the word membership clubs, theaters is included. If he wanted to buy a theater to sell alcohol during a movie but no food. I'm a theater that fits in C-1 can I go get a private club license and sell alcohol.

Ms. Rodgers stated that is correct unless the Council protested the license with TABC.

Council member Broaddus asked how the Council would protest.

Ms. Russell stated there is a form and City Council, Mayor, City Attorney or Chief of Police can file a protest.

Mr. Yenne stated the key here is we are simply looking at what fits under the current zone. If it is a movie theater first and foremost then it is a movie theater. If it is a restaurant, then it is a restaurant. If it is whatever it happens to be then that is what it happens to be and if they happen to serve alcohol and get a license through TABC then that is all well and good. If they meet the condition of the TABC that is their business. Unless something is wrong, and somebody points it out to TABC that they are not meeting their requirements. Right now, what we have is using an old term and all sorts of things are beginning to come in without going through the process to stand or fall on their own merits. Right now, everything is coming in as a private club/membership club. Just get rid of that

term and start over again. Just come in and tell us what you are going to be. In their case they are a restaurant, in her case she wants to be a cigar bar. Then we would have to determine, a cigar bar does not fit in any of our zones right now. We would have to determine where we would want them to fit, if we wanted them in here.

Council member Baker asked if that would be when we would have a public hearing.

Mr. Yenne stated that was correct. You would go through this kind of process and the public gets to speak on it and Council decides whether to put those businesses there or not.

Council member Broaddus asked if that would be the mechanism to add cigar bars to the list of permitted uses.

Mr. Yenne stated it would be.

Council member Broaddus asked if we add cigar bar to the list and someone wanted to open a hookah bar where would they fit. Why don't we just add smoking bar for cigarettes, cigars, etc.? Are we just looking to have a big long list to permitted use? So, if cigar bars get added then any cigar bar would be allowed. Not every single time would we have to have a public hearing?

Mr. Yenne stated Council could make it a conditional use. It can be a permitted use or conditional use. Conditional use is on a case by case basis. Permitted use is as soon as they come in and ask for it they have got it. If they are one of the approved items. That is the way it was set up years ago. Our zoning ordinance is by prescription. If it is not listed in the zoning ordinance it is not allowed. Doesn't mean you can't get it in the zoning ordinance you simply have to go through the process to get it added.

Council member Baker asked what a hookah bar is.

Stacy Bernard 285 Fawn Trail said it is similar to a vapor. She introduced Carlos Robinson. They were here at the previous meeting. A hookah is the same as a vapor, it is just coming through the water.

Ms. Bernard stated that her concern was at the last meeting everyone was getting caught up on private club memberships and bars. This entire topic came up because other considered private club establishments weren't operating properly. They did not have the food or the proper requirements that they were required to have. When we came up here last week I discussed if there is an issue at particular location, if you want to stop one location, stop that location, but don't hinder everybody else. So, when it comes down to this membership club, even if you look at membership club as it ties back to private club with TABC it has the same definition. So, when you look at that definition, you are saying you have to come before Council. That is not a problem, because I came to Ms. Rodgers initially anyway. The issue is how do we stop those businesses from coming in. The way to resolve this is by stating what you do not want to have. For instance, the bars are the biggest issue. We don't want to have bars and that is why the restaurant rule came up. But there is no rule for bars. There is no definition for bars. So, when you have people coming in for private club licenses or establishments they are falling underneath a bar and not an actual private club. Even a private club defined by TABC has to have food. So technically you are a restaurant, you are serving as a restaurant. You have to have those requirements of having a kitchen and having food as well. But whenever you go back or tie it back to a bar, a bar does not have to have food, they can do whatever they want to. When you look at a membership and tie it to TABC as well you are still coming out

with the same outcome. You still have to have food, you still have to have membership dues or a membership form of system to go by. When we discussed this, I think that the proper solution for this would be to start describing or put in definitions of what you don't want to have. Starting with a bar. Whenever you go back and look at membership clubs and private clubs per TABC. TABC is going to trump that because TABC is by State and its, if you look at it, it is following that same law. If you are going to put in a rule or something it will have to be bigger than just taking away membership clubs or whatever else, you don't want in there. Put in there what Lake Jackson cannot have versus this is what we are going to do 'we are going to put them in this zone, or take away this zone, or what not. Just a suggestion. She did not want to get into the whole TABC liquor stuff.

Mr. Yenne said that Ms. Bernard was an expert at the TABC rules.

Ms. Bernard said that the TABC rules are completely different. She stressed that there are genuine businesses that are coming into Lake Jackson and doing things the proper way. But when you have businesses that aren't doing things the proper way it makes those other businesses look bad and that should not affect those other businesses.

Council member Roznovsky said if we go forward with the suggestion of removing membership club, and you want to come in with a business and it is not listed as one of the prescribed businesses listed for this zone, but you want to come downtown and your business is XYZ whatever and it doesn't fall under the zone. The process you have in place is you would come before Council if you want to put that business in and ask if that type of business can be added to this zone. We would follow the procedure with a public hearing and get input from the community. And if the community says they want those types of businesses then we would list business XYZ as one of the prescribed businesses. Where this has gotten muddled up is there is no definition of what a membership club is. What the city thinks is a membership club is different from TABC.

Council member Singhania said it is not that Council does not want bars in Lake Jackson, they just want bars in the proper place.

Ms. Bernard said for them they are looking at every other business or entrepreneur that wants to come in and be successful in Lake Jackson. She did not want to make it seem like Lake Jackson does not want these other businesses to come in and that is what it looks like. Whenever other people outside looking in don't understand.

Mr. Yenne said he could see the perception. But one of the things we embrace in Lake Jackson is public input and letting the public decide. That is the importance of this. This is a great crowd of people here. They are learning something, and they have opinions on this and we want to hear from the public. Council member Roznovsky is right, that would be the process we would take. Council member Broaddus is right we could come up with a definition of instead of cigar bar it could be this type of definition that would fit you and hookah bars and allow that to be discussed and if it is approved then it would be put into a zone or zones. We also talked about potentially an overlay district, like an entertainment district that we would create for downtown. So out of all of the town there will be special rules for downtown that would allow things that wouldn't be allowed closer to the residential areas. But in downtown it might be something we would really want to do. That has been kicked around for years now. All we are trying to do is close this back door and get rid of this term that has no definition and simply start going back to the way it was intended to be. We have membership club and what that means to anyone is different. Let's just get rid of that silly term and go back to the process of the way things used to be.

Council member Roznovsky said Ms. Bernard talked about stating what you don't want versus what you would allow. It is the chicken and the egg thing, which is the best way to do it. He felt listing things that were allowed was more palatable than listing things you don't allow. But we do state at times what we don't allow.

Mayor Sipple said when all this was put into place originally, he did not know what our population was, but it has probably doubled or tripled. That is why public input is so important to us. Because the demographics has changed, the city has changed significantly. Everybody has a right to have an input to the process. That is what this process allows is for the public to have an input for what they want.

Council member Broaddus said we have a definition of restaurant somewhere, right?

Sherri Russell said we do not define restaurant.

Council member Broaddus said it had to have a working kitchen.

Sherri Russell said yes it was pretty much the layman's term that they will cook food and bring food out to you that you would eat.

Council member Broaddus asked how many washing machines and dryers he had to have to be a laundry and a cleaner.

Sherri Russell said the city does not regulate like that. If you say you are going to be a laundry mat, you are a laundry mat. We don't go in and count the machines.

Council member Broaddus asked if the laundromat on S. Parking Place right across from one of the hottest eateries in Lake Jackson decides they want to serving liquor and they can qualify through TABC for a private club license would that be okay. They would not have to come talk to anybody because they are already a laundry and that is already listed in the zone.

Alice Rodgers stated as long as Council did not protest it.

Mr. Yenne said they would have to meet all the conditions because this is where Ms. Bernard is right. A lot of businesses think they don't have to serve food. She has pointed out correctly that that is not the case. She is very good....

Alice Rodgers said that TABC does not require the business/private club to sell food they just have to make food available for the members.

Council member Broaddus said you only had to make it available to the members.

Ms. Bernard said you still have to have food.

Alice Rodgers said you don't have to sell it you just have to have something there for your members.

Ms. Bernard said it is not just something it is actually entrees just like a restaurant would have to have. It is the same thing a private club would have to have.

Council member Roznovsky said it is not 1-800-dominos.

Ms. Bernard said it is not.

Mr. Yenne stated that what Ms. Bernard is talking about is something similar to the Fill Station and they will bring in a truck to sell the food.

Sherri Russell said they don't have to sell it they can just serve it.

Ms. Bernard said they will definitely sell their food. She asked why they would not fall underneath a restaurant. They have food and a kitchen and are able to serve the food.

Mr. Yenne said it was possible.

Ms. Russell said it sounds like they would fall under the restaurant.

Ms. Bernard said but you are getting back to the point of going around the system. You are still not solving the problem.

Ms. Russell said when somebody stops serving food and just gives you chips and phone numbers to the pizza place we could go in and grab their certificate of occupancy and say you are not doing what you are supposed to do in this zone. We cannot do that right now with a private club. All we can do is complain to TABC. We have no authority.

Council member Broaddus said that would not be true if the business was a laundry mat.

Mr. Yenne said they would have to provide food.

Sherri Russell said they are a laundry mat and have a washer and dryer and are letting people come in to wash their clothes.

Alice Rodgers said that once the private club sells food they have to have a Food and Beverage Certificate from TABC. Once you have a food and beverage certificate then a percentage of food to alcohol would kick in.

Ms. Bernard asked if they were a restaurant or went under a restaurant.

Alice Rodgers said if you are opening a cigar bar and will have a truck and start selling food you might double check with TABC because once you start selling food you would have to have a food and beverage certificate.

Sherri Russell said the private club requires they serve food, so they wouldn't need a food and beverage certificate.

Alice Rodgers stated there is a private club license without a food and beverage certificate and then there is a private club license with a food and beverage certificate.

Ms. Bernard said she wished she could give a class on this since everyone did not completely understand. There are so many similarities between a restaurant and a private club. They are not trying to open something that is not allowed.

Mr. Robinson said the big difference is they have a caterer and as their business they don't have to

have a lot of food, so they are getting it catered in. As long as they have it for their members, that is all that matters.

Council member Broaddus said anytime in his experience when you are messing with definitions there are potential unintended consequences. We talked earlier that membership club was originally created to cover civic organizations, veteran organization and local gyms also operate as membership clubs in Lake Jackson. If we strike membership clubs, are the veterans organizations going to have to come back and ask to be added and then the civic organizations or gyms.

Sherri Russell said the gyms would not have to as they fall under recreation.

Mr. Yenne said if they can't fit into what Ms. Russell just mentioned or another category, then we would correct it there. Anyone who is already here is grandfathered in. Right now, we have the Masons and they are just kind of a club, but they don't do any of that other kind of stuff. If they wanted to then we could fit them in or add a place for veteran's clubs or whatever it happens to be. Those are the types of things we do allow. But right now, this is just being misused. It is averting the ability of the public to comment one way or the other as to what kind of business they want in town.

Pat Quant 54 Royal Oak Circle if there are definition from TABC for a private club that has to require a license, why don't we just use that definition that is already there.

Ms. Russell stated there is not a definition, there is a list of things they (private clubs) have to do but there is not a definition.

Ms. Quant said the license for a private club is not defined?

Ms. Russell said TABC states if you want to be a private club you have to do these things.

Alice Rodgers stated that the Alcohol Beverage Code that anyone can look up on line, is the State law and it does not define what a private club is. There is not a definition. If you look at all their definition sections, there is not one. It just shows the steps you have to take to get a private club license and what is required of you.

Council member Roznovsky said it is just a definition title of a license and nothing more.

Council member Broaddus said he is the Council liaison to the Planning Commission and was at the meeting along with Mr. Yenne. The Planning Commission's recommendation to Council was that we should define membership clubs to exclude private club licenses and then to create a separate private club overlay district.

Mr. Yenne said they wanted a private club definition, a membership club definition. Ms. Bernard made a good suggestion to use the requirements as the private club definition. Right now, we do not have the ability to enforce this. Unless we encode something in the zoning code which allows us, if they stop doing what they are supposed to do, to yank their certificate of occupancy. In this case again staff thought about this and felt it was going to take forever to come up with a definition as everyone has a different idea. The more we thought about it the more it was, just remove the thing that is allowing this back door to occur and fix whatever comes from there. Have everything come in and rise and fall on its own merits and allow the public process to work the way it has for 75 years.

Council member Roznovsky there are those that do not want to do away with private clubs. If we

remove this membership club out of the zoning ordinance, if a private club wants to or a business that has a TABC license they would come before the city council. If it doesn't meet one of the prescribed permissible uses in a zone, then they would go through the process of requesting that that type business be added. A business could come in under a TABC license, but they would have to fall under a category or ask to be added to the allowed category.

Council member Broaddus said he did not fully understand permitted uses versus conditional uses. It sounds to him like if we take membership clubs off then we can still come and try to .... What if we moved membership clubs from permitted to conditional use.

Mr. Yenne said if it is listed under the permitted use, it is automatically permitted. If it is under conditional use it has to be approved by the Planning Commission.

Council member Broaddus asked if that is what we are saying would have to happen if we remove membership clubs.

Mr. Yenne said it could be either way. If we decide that we are going to add cigar bars as one of the permitted uses, then it would never come back to Council again. Anybody that wanted to open a cigar bar would open a cigar bar. If you made it a conditional use every time somebody came in and wanted a cigar bar it would have to go before the Planning Commission for approval or disapproval.

Council member Broaddus said conditional uses are approved by Planners and the change to the ordinance is by Council. So, if we moved it to conditional use, then Planners would control everything and not Council.

Mr. Yenne said that was correct.

Mayor Sipple closed the public hearing at 7:28 p.m.

#### ACTION ON PUBLIC HEARING TO CONSIDER AMENDING ZONING ORDINANCE TO INCLUDE DEFINITION OF A MEMBERSHIP CLUB

On motion by Council member Singhania second by Council member Broaddus with all members present voting "aye" to call a public hearing on July 2, 2019 before the Planning Commission and on July 15, 2019 before City Council to consider removing all mentions of membership clubs from the zoning ordinance.

#### APPOINT MAYOR PRO-TEM

On motion by Council member Baker second by Council member Buell with all members present voting "aye" Council member Vinay Singhania was appointed Mayor Pro-Tem.

#### CONSIDER AND DISCUSS DESIGNATING THE FACTS AS THE OFFICIAL NEWSPAPER OF THE CITY OF LAKE JACKSON

On motion by Council member Singhania second by Council member Broaddus with all members present voting "aye" The Facts as the official newspaper of the City of Lake Jackson.

#### SET REGULAR COUNCIL MEETING DAYS AND TIMES

On motion by Council member Buell second by Council member Singhania with all members present voting "aye" the regular council meeting days and times were set for the 1<sup>st</sup> and 3<sup>rd</sup> Monday each month at 6:30 p.m.

### SET INTERVIEW DATE FOR BOARD AND COMMISSION APPLICANTS

The date was set to interview applicants for boards and commission on June 3, 2019 at 5:30 p.m.

### AWARD ONE (1) YEAR EXTENSION TO A VETERAN'S TOUCH FOR CUSTODIAL SERVICES FOR THE MUNICIPAL COURT AND ALDEN DOW MUSEUM IN AN AMOUNT NOT TO EXCEED \$6,234.12

The current supervisors are pleased with their performance and have requested A Veteran's Touch continue to provide custodial services. Therefore, staff recommends that their contract be extended for an additional year as allowed in the contract terms.

The initial contract terms were from August 1, 2017 to August 1, 2018. The first contract extension terms were from August 1, 2018 to August 1, 2019. This will be the second contract extension of the three allowed.

On motion by Council member Buell second by Council member Roznovsky with all members present voting "aye" award was approved for a one-year extension to A Veteran's Touch for custodial services for the Municipal Court and Alden Dow Museum in an amount not to exceed \$6,234.12.

### ORDINANCE AMENDING CHAPTER 98 TRAFFIC OF THE LAKE JACKSON CODE OF ORDINANCES TO REMOVE WORDING THAT REGULATES UNINVITED PARKING ON PRIVATE PROPERTY – FIRST READING

Sherri Russell stated that this ordinance is no longer needed. First, state law covers parking in front of fire hydrants, in fire zones, and blocking entrances and exits. Second, this ordinance gives the police authority to order a person to remove their vehicle from a private parking lot. The police will aid a private property owner if they have unwanted persons on their property through the trespass laws. However, if the owner wants a vehicle removed, the owner needs to call a towing company.

On motion by Council member Roznovsky second by Council member Buell with all members present voting "aye" an ordinance amending Chapter 98 Traffic of the Lake Jackson Code of Ordinances to remove wording that regulates uninvited parking on private property was passed on first reading.

### DISCUSS AND CONSIDER ROAD CLOSURE FOR THE SPOT REPAIR PROJECT ON WILLOW AT BUTTERCUP

Staff presented two options for traffic flow during the repair to Willow Drive. The first option involved closing one lane at a time and detouring traffic through the neighborhoods and the second option would close both lanes at the same time. The second option would have the project completed faster.

On motion by Council member Buell second by Council member Singhania with all members present voting "aye" approval was granted for the closure of both lanes on Willow Drive at Buttercup for the spot repair project.

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

Phase I: Completed

Phase II (71% / Alternatives to coincide with Phase III):

Alternative development / recommended drainage improvements morphed into Phase III.

Phase III (Final Phase went from 62% Completion to 65%):

FNI took the photos sent to them of the flooding resulted from a little greater than a 10-year Storm Event that occurred on the 20th August 2015 within the watershed areas west of Dixie Dr and Along Flag Lake and determined a reasonable tail water that have the existing model reproducing similar magnitude of flooding / ponding within these areas which will be used in the Alternative Conceptual designs for the 10-year events. Will reach out to FNI informing them that we concur with the tail water determined and can be used from here on in modeling the alternative conceptual designs.

FNI continues with the Alternative development H&H modeling.

UPDATE ON CONSTRUCTION PROJECTS

- a. CONSTRUCTION FUNDS FINANCIAL UPDATE
- b. SIDEWALK PROJECTS
- c. UTILITY REPAIR PROJECTS
- d. DRAINAGE REPAIR PROJECTS
- e. WOODLAND PARK PROJECT
- f. DOWNTOWN REVITALIZATION PHASE 3

Sal Aguirre gave the project update.

ITEMS OF COMMUNITY INTEREST

Council member Buell reminded everyone of the concert on the plaza this Friday.

Council member Baker asked when the city picnic would be held. Mr. Yenne stated June 8<sup>th</sup>.

Mayor Sipple stated how well attended the concert on the plaza went last Friday.

Mr. Yenne thanked staff for their work on the river flood while he was away in Fort Benning with his son.

ADJOURNMENT

There being no further business the meeting adjourned at 7:50 p.m.

These minutes read and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bob Sipple, Mayor

\_\_\_\_\_  
Alice A. Rodgers, City Secretary