

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, July 15, 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
Matt Broaddus, Mayor Pro Tem
Vinay Singhanian, Council member
Gerald Roznovsky, Council member
Buster Buell, 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
Paul Kibodeaux, Police Chief
Athelstan Sanchez, Asst. City Engineer
Eddie Herrera, Engineering Tech
David Walton, Building Official
Terri Cardwell, Volunteer Coordinator
Irene MacKay, Health Officer
Tina Doyle, Code Enforcement Officer

Pledge of Allegiance

Council member Broaddus led the pledge of allegiance.

Invocation

Mayor Sipple led the invocation.

Visitors

Joseph Ham 204 Van Winkle spoke about Brazoswood little league baseball and stated they recently gained an additional 5-600 players. He asked if there was anyway the Madge Griffith Park and the Youth Sportsplex could be merged. He felt they could be complexed together to make it easier on parents and players. Perhaps during the upcoming bond issues.

Mr. Ham also stated that the house at 244 Sleepy Hollow is in chaos. There are boats and cars in the yard along with trash. At 305 Sleepy Hollow the trash is put out against city ordinance. He asked that Council consider the roll away cans.

Mr. Ham stated that at 307 Van Winkle there is a ditch that does not drain.

Glen Jones 118 Cypress said the drainage ditches in Brazos Oaks need to be cleaned to help the drainage.

Presentations - Presentation and Report from Southern Brazoria County Transit

Sean Littleton gave the annual presentation for the Southern Brazoria County Transit. He introduced staff members Ted Ross, Sherri Barrell. He stated that Brazoria County had 5 fixed routes. He reviewed the following numbers:

	Total Trips 2017	Total Trips 2018	EST. Trips 2019
Lake Jackson - Clute	20,647	21,670	23,679
Brazosport Regional	15,233	14,183	16,959
Angleton	20,110	19,509	19,332
Regional	33,014	22,201	20,337
Freeport	27,107	24,590	20,238
DR / Saturdays			11,570
	2017	2018	2019
Riders	116,204	98,373	112,115

Consent Agenda

- A. Approval of Minutes –July 1, 2019
- B. Boards and Commissions
- C. Appoint Mayor Sipple as liaison to the Charter Review Commission
- D. Appoint Heather Melass to the HOT Committee

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 –July 1, 2019 - approved
- B. Boards and Commissions - accepted
- C. Appoint Mayor Sipple as liaison to the Charter Review Commission - appointed
- D. Appoint Heather Melass to the HOT Committee - appointed

Public Hearing to consider amending the zoning ordinance to remove the permitted use of a membership club from the zones B-1 Neighborhood Business, B-2 Central Business, C-1 Commercial and as a conditional use in R-4 Multifamily Residential

Mayor Sipple opened the public hearing at 7:00 p.m.

Mr. Yenne stated that this is a zoning issue for us. We tend to get caught up in the weeds on the alcohol side. But it's primarily a zoning issue. And some way along the line a private club under TABC conflated with the membership club in our zoning ordinance, which probably originally was for veteran's organizations, civic organizations, things like that. And it started allowing things to come through the TABC permitting that weren't listed in the zoning code. The city's zoning code is by prescription, which means it has to be listed in the zoning ordinance to be allowed. If it is not listed, then that use comes before the planners and the public and goes through the public process, it comes to City Council, and the citizens and the council decide what they want to see in their zoning code and what they don't want to see in the city.

Mr. Yenne stated that a membership club to us is a subservient or a byproduct of whatever the main use is. And again, we were getting caught up with the alcohol side. So, when folks are saying I want to bring a membership club we need to ask a membership club for what, what is it going to be? Is it a billiard hall? Is it a cigar bar? Is it a restaurant? What is the primary use, and that's why membership club shouldn't drive the issue. It should be what is allowed or isn't allowed under the zoning code. So, we can go back to regular order and go back to the way we've done it for years and allow things to come through or not come through based on their own merit. Right now, things were coming in because we had this determination of calling it a membership club.

He stated that at the Planning Commission meeting they tried to have a discussion of definitions and were all over the map on definitions. And one of the members, Brenda Colegrove suggested, ‘why don't we just get rid of the term membership club and let things rise or fall on their own merit’. That also came from some members of staff as well. So that's when I bounced that back off of Council and

you sent it back to the Planners. Planners did have their meeting, about five people got up spoke There were some folks that were obviously concerned about what was going to happen. We've already told folks that anybody who already has a business here, then they are grandfathered in. If the use changes then they would have to come back through the Planning Commission. We had one person in particular that was very unhappy about the whole idea of any kind of bars or alcohol in the city. But that's the process, the way it should be. It comes before everybody. So that's where we're coming from. To us, the staff, it's a zoning issue. We can get into all the other issues but doing this I think it is the right way so that everything else is transparent, it's out in the open and people can discuss it that way. Now this is a public hearing so does anybody from the audience want to come forward and make any comments relative to this.

There were no further comments.

Mayor Sipple closed the public hearing at 7:03 p.m.

Consider Ordinance amending Section 110 Zoning of the Code of Ordinance to remove the permitted use of a membership club from the zones B-1 Neighborhood Business, B-2 Central Business, C-1 Commercial and as a conditional use in R-4 Multifamily Residential – first reading

On motion by Council member Singhania second by Council member Roznovsky with all members present voting “aye” an ordinance amending Section 110 Zoning of the Code of Ordinance to remove the permitted use of a membership club from the zones B-1 Neighborhood Business, B-2 Central Business, C-1 Commercial and as a conditional use in R-4 Multifamily Residential was passed on first reading.

Approve preliminary plans for the Governor’s Community Achievement Award Project

Terri Cardwell, Volunteer Coordinator introduced Brent Bowles to explain the project.

Brent Bowles IAD Architects stated he has worked with Ms. Cardwell on this project. The project would be located at the northeast corner of Veteran’s Memorial Parkway and SH332. The concept is of the tree approved city logo tree and to create a three-dimensional shape. We wanted to create a nice place that serves as an icon to both the community residents and the visitors alike, a photo opportunity to sit and take photos to describe to their friends and patrons of where they've been. The construction is considered to be a steel plate in some type of durable powder coated finished. We are taking some liberties by removing some of the lower hanging branches to keep them from causing a safety risk or a climbing opportunity for either small children or adults. They would use some of the same type of brick work used downtown for the base. The city’s name would be on the base or seating area. They have not approached the structural engineer about this. Clearly the windborne debris region, they understand that hurricane force winds are going to have an effect on that. They are very eager to put this in front of a structural engineer and see how we can fortify its integrity without putting too many structural braces on that which would then either accommodate birds roosting in that with their droppings and or created and more jungle gym like atmosphere. They want to take the elements that are currently employed with the brick, the cast stone, the glazed brick accents that are currently in use the downtown revitalization and piggyback on that and continue the branding that's been successfully done.

Mr. Bowles stated there would be a way to incorporate an electronic sign in the design to standalone to advertise city events. The structure with the tree would be 21 feet tall.

Gerald Roznovsky asked that since this was on Veteran’s Memorial Drive could the military seals be incorporated in the design.

On motion by Council member Roznovsky second by Council member Singhania with all members present voting “aye” approval was given for the preliminary plans for the Governor’s Community Achievement Award project as presented.

Approve agreement with Center Point Energy for LED light replacement

Mr. Yenne stated this is a result of the subcommittee of Mayor Sipple, Council member Roznovsky, Mr. Yenne and Sal Aguirre. This agreement will be for Center Point to come in and replace all the streetlights with LED lights.

On motion by Council member Buell second by Council member Broaddus with all members present voting “aye” approval was given for an agreement with Center Point Energy for LED light replacement.

Consider a resolution denying CenterPoint Energy Electric’s intent to increase rates

On motion by Council member Singhania second by Council member Buell with all members present voting “aye” a resolution was approved denying CenterPoint Energy Electric’s intent to increase rates.

Discuss and consider resolution amending fee schedule for building permits to eliminate value-based fee

David Walton, Building Official presented the following information for Council consideration: Currently the fee assessed for a building permit is calculated by multiplying the projects square footage by a cost factor based on the occupancy and construction type. This cost factor is published twice yearly by the International Code Council. Cities nationwide including many in the greater Houston Area use this published table as a basis for assigning a project valuation to a construction project. This value is then used to calculate the building permit fee.

The national average of construction is \$122.46 for a home, \$117.40 for apartments, and \$48.73 for garages, pools, and accessory structures.

As an example, a 2000 Sq Ft home with a 500 Sq Ft garage is valued at \$269,285. The current fee schedule would calculate the total permit fee as \$970; or \$.45 per Sq Ft.

While a 1000 Sq Ft home is valued at \$122,460, or \$.53 per Sq Ft. Meanwhile an apartment building of 18,000 Sq Ft is valued at \$2,113,200, or \$.27 per Sq Ft.

Based on the current model a smaller project pays a larger amount per Sq Ft for its permit while a larger project receives a significant break in the permit fee.

Mr. Walton presented several options for Council to choose from and recommended the following:

Option 4: Set a flat fee of \$0.45 for single family homes and \$0.35 for buildings with more than one dwelling.

Historical data shows the average permit fee cost per Sq Ft for residential dwelling alteration permits to be \$.30. It is recommended that \$.30 per Sq Ft be assessed for single-family and multi-family permits.

Per unit fees have been added to account for traditional valuation-based projects such as window replacements and foundation leveling. It was also found that the current calculation method for plumbing permits did not adequately account for a landscape irrigation system. A per unit flat fee has been added for irrigation systems.

On motion by Council member Singhania second by Council member Buell with all members present voting “aye” a resolution was approved amending the fee schedule for building permits to eliminate value-based fees by using Mr. Walton’s recommendation.

Approve contract for emergency repairs to Lift Station No. 5 to National Works in an amount not to exceed \$70,000

Eddie Herrera stated that it was recently discovered that the lift station wet well beneath the building has caved-in in a small area near the pipe that brings sewer in. This area is relatively small, but the velocity of the inflow may have washed out the area outside of the tank. Due to a previous installation of a fiberglass liner, staff cannot see the total damaged to the wall or any area washed out.

The proposal for repair comes from a vendor that has coated numerous wastewater facilities in the area with good results. Our Utilities personnel have visited some of the rehabilitation projects in Pearland and are very comfortable with the proprietary SewperCoat material.

Because the wet well is beneath the lift station building and pumps, there is a chance that the structure could drop or lean causing a need to rebuild the lift station completely. This repair would halt any further erosion of the area that has failed and seal the remainder of the wet well to prevent any other failures. The material that will be installed, sets up like concrete but is much stronger and corrosion resistant. It will be sprayed on the walls to a thickness that will stop deterioration of the concrete after the collapsed portion of the wet well is repaired and the remainder of the tank is prepared to receive the coating.

The Utility Department is seeking approval for the total amount of \$70,000.00 for the attached repair quote plus contingencies, and Council approval to sign a contract with National Waterworks in the amount of \$61,420.00 for Emergency Repairs to Lift Station No. 5.

On motion by Council member Singhanian second by Council member Buell with all members present voting “aye” a contract was approved for emergency repairs to Lift Station No. 5 to National Works in an amount not to exceed \$70,000.

Discuss and consider proposed FY 2018-2019 Annual Budget and give direction to staff

Vinay Singhanian asked to add the signage mentioned with the Governor’s Community Achievement award that was proposed tonight. Mr. Yenne did not know the cost for the signage at this time. It could be that by the time this project is done it would be in the next fiscal year and there would be time to budget for it.

Legislative Update and Presentation from City Attorney

Sherri Russell, City Attorney reviewed the legislative updates that affect the city.

Update on drainage in the Parkwood Subdivision near Moss, Chestnut and Palm Lane

Athelstan Sanchez presented the following update:

Phase I: Completed

Phase II (from 73% Completion to 81% / Alternatives to coincide with Phase III):

FNI has completed the existing conditions Hydraulic & Hydrological modeling. Alternative development / recommended drainage improvements morphed into Phase III.

Phase III (Final Phase went from 68% Completion to 77%):

The 3-hrs final Alternative Workshop which was held on the 2nd July 2019, was productive with lots of exchange of constructive comments, questions, and directives regarding all 27 alternative conceptual designs (17 in Lake Jackson, 9 in Clute, and 1 regional) presented along with a snapshot of an estimated cost for alternative 3 which includes improvements of collectively the most reaches: \$2,742,000.

Update on Construction Projects

- a. Construction Funds Financial Update
- b. Sidewalk Projects
- c. Utility Repair Projects
- d. Drainage Repair Projects
- e. Woodland Park Paving Project

Eddie Herrera presented an update on the construction projects.

Items of Community Interest

Vinay Singhanian stated that he made his motion quickly on the resolution amending the building permit fees was because Mr. Walton had done a great job at the Saturday workshop

Adjournment

There being no further business the meeting adjourned at 8:18 p.m.

These minutes read and approved this _____ day of _____, 2018.

Bob Sipple, Mayor

Alice A. Rodgers, City Secretary