

**CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
JULY 12, 2011**

1. Call meeting to order

The meeting was called to order at 6:30 p.m. with Mayor Pete Perkins presiding. Council Members present: Mayor Pete Perkins, and Council Members Cynthia Wilson, Rayman Kinman, Elaine W. Kemp, John F. Schack, Willie Vaden, and Paul Pierce. City of Ingleside Staff present: City Manager Jim Gray and City Secretary Kimberly Drysdale. There were approximately 20-25 guests.

2. Invocation

3. Pledge of Allegiance

4. Presentations from the Audience

Chamber of Commerce President, Jan Hart invited everyone to participate in the Ingleside Community Hook Night. A section of the baseball stadium is set aside for the Ingleside Community at discounted rates of \$8/ticket for Monday, August 29, 2011 and the Ingleside Band or Choir will be a part of the opening ceremonies. Also, the Ole TV commercial has been uploaded to the Chamber's website.

Coastal Bend Herald Reporter, Charles Stewart apologized to the Mayor and Council for misspelling the Mayor's name in a recent article as Pete Peterson instead of Pete Perkins.

Ingleside Youth Football League President, Chris Guilianelle requested support from the City of Ingleside and anyone from the public for their organization in order to purchase new shoulder pads and other equipment. Please contact him or Barbara Lopez, the City Secretary has their contact information.

Ingleside Independent School District (IISD) Superintendent, Troy Mircovich explained the School Districts concerns with budget constraints and some of their efforts to cut expenses. One of their methods to is reduce some of their bus routes. This will have more students relying on the use of the Safe Routes to School sidewalks connecting neighborhoods and campuses. The main area of concern is the intersection of F.M. 1069 (Main Street) and 4th Street. IISD is will to pay one-half (1/2) of the cost of a crossing guard during the school year. They would like the City to consider this as we go into our FY 2011/2012 budget cycle.

Mr. Victor Washington stated he supports the use of the sidewalk; however, he strongly suggested that the pedestrians (mainly children) be required to utilize the sidewalks and therefore respect the vehicles as the intended use of the streets.

Mr. Frank McDowell expressed his concern for the City of Ingleside to adopt an Ordinance forbidding fireworks from within the city limits.

5. Consideration and action of the minutes of the City Council Meeting dated June 28, 2011.

Council Member Kemp made a motion to approve the minutes of the City Council Meeting dated June 28, 2011 and was seconded by Council Member Wilson.

Mayor Perkins and Council Member Pierce noted two clerical errors.

Council Member Kemp amended the motion to include the corrections noted and was seconded by Council Member Wilson. The motion was approved unanimously.

6. Discussion regarding finance option(s) for Phase II of the NEPA process for the Ingleside Industrial Corridor known as State Highway 200.

City Manager Jim Gray stated he had hoped to have additional information from an Industrial Partner; however, it is not ready at this time. He suggested this item be removed until further notice.

7. Discussion regarding an AFA Agreement with the State of Texas regarding the Ingleside Industrial Corridor known as State Highway 200.

City Manager Jim Gray introduced TxDOT District Engineer, John Casey and explained the contract presented tonight is for the Council to have an opportunity to review, ask questions, and make suggestions for changes.

Mr. Casey stated this is an unusual situation that TxDOT does not typically assist with design and planning. The contract presented is a standard contract the State of Texas utilizes for other grants programs and was slightly amended for this purpose. The Corridor was an important project in 1988 when it was originally recognized by the State of Texas and designated as State Highway 200 and it is even more important now. The State is not directly funding this project. Rather, Mr. Casey is committing majority of his annual discretionary budget to this project, not to exceed 1.5 Million Dollars for the remaining Environmental, Engineer, and Right of Way Acquisitions. This will help the City to get this project through the NEPA process and have it shovel ready for construction. It is required to be shovel ready in order to apply for other grants and funding sources to pay for construction. TxDOT has presented this project to San Patricio County in the past; however, they were not able to do this at that time.

Council Member Kemp felt this is a very one sided contract with the entire burden being placed on the City of Ingleside. Mr. Gray stated this is the same wording seen on all of our grants/loans with State, Federal, and other agencies and is meant to be one sided because they are giving us funds for our project(s). Council Member Kinman questioned if instead of going through the reimbursement process if the State could pay the contractor(s) directly and Mr. Casey explained that cannot be done. Council Member Pierce questioned what could happen that would cause the City to not receive reimbursement. Mr. Casey stated as long as the steps are followed there should be no problem, but if the contractor didn't do their job correctly and therefore caused non-compliance, then the State would withhold reimbursement.

Council Member Vaden stated this is the first time he has seen anyone from TxDOT helping our community to such a degree and thanked Mr. Casey for recognizing this project. Mr. Victor Washington stated the traffic in Ingleside is already terrible and only going to get worse with the additional industry coming into the area. He feels the City Council needs to stop "nickel and diming" the projects and move forward with this much need Corridor Study in order to eventually construct SH 200.

John Michael, of Naismith Engineer explained that during Phase I, no major contamination was found. Core samples have been performed and discussed with TCEQ. Based on those discussions, it is felt that this project can move forward.

Council Member Pierce requested an explanation of indirect costs, cost of utilities, anticipated cost of land that would need to be purchased, and if this contract would cover the expenses related to the two spurs. Mr. Casey agreed that Section 3.K regarding indirect costs can probably be removed. He explained they are not expecting any utility costs because that would only come into effect if we were moving utility lines which we do not anticipate doing at this time. Although the cost of the land is currently being estimated at \$20,000/acre, it is unknown which land will be given to the City and which land will be required to be purchased or condemned. This grant will not cover the expense of building the Spurs.

8. Consideration and action of a Right-Of-Way Easement Agreement between the City of Ingleside and the Ingleside Independent School District (IISD) regarding the portion of the Ingleside Industrial Corridor known as State Highway 200 that crosses IISD property.

IISD Superintendent, Troy Mircovich explained the School District has decided to sell the majority of the acreage to the east of Coach Emery Bullard Drive. They are only keeping a small section to allow for the expansion of the parking lots. Trying to think ahead and help the City with the proposed SH 200, IISD is wanting to move forward with a Right-of-Way (RoW) Agreement now, before they sell the property so that there will be no expense or delay during negotiations with a purchaser. In recognizing that the State does not allow School Districts to give property away, they will allow the School to exchange property. What is being offered is that the School District will convey the RoW for the portion of SH 200 running through their property and the RoW for a Spur to connect SH 200 to Mustang Drive if the City will be responsible for the cost of building the Spur. If SH 200 is not built, the City will not have to build the Spur. Mr. Mircovich has already had meetings with TCEQ regarding the condition of the soil found from the core samples performed by Naismith Engineering. It is felt that the contamination is not critical and since the road will be placed on top of the soil and not down in the soil, the clean-up will be minimal. The clean-up will be at the responsibility of who ever is developing the land.

Council Member Kemp stated she felt this was too great a risk for the taxpayers of Ingleside and John Michael of Naismith Engineering stated it is the same tax payers as the School District. Whether the School pays or the City pays, it is the same tax payers. Council Member Vaden and Mr. Stewart Wilson both voiced their recommendation for the Spur and supported Mr. Mircovich and Mr. Michaels statements that although the land is not without issues, it is not too contaminated for a roadway to be built on it. Council Member Kinman questioned if the land just for SH 200 could be purchased and Mr. Michael explained the cost of purchasing the land would exceed the cost for minimal cleanup and construction of the Spur to Mustang Drive.

The main purpose of SH 200 is to get the traffic out of the center of Ingleside and IISD is very supportive of these efforts. The conveyance of the RoW is the only way the School District can assist due to State guidelines and restrictions.

Mayor Perkins made a motion approving the Right-Of-Way Easement Agreement between the City of Ingleside and the Ingleside Independent School District (IISD) regarding the portion of the Ingleside Industrial Corridor known as State Highway 200 that crosses IISD property and was seconded by Council Member Schack. The motion was approved with Mayor Perkins and Council Members Wilson, Kinman, Schack, Vaden, and Pierce voting aye; and Council Member Kemp voting no.

9. Consideration and action regarding the amount and use of funds for the proposed Capital Improvement Bonds.

City Manager Jim Gray explained that after additional review of the bonds and the requests from Council Members at previous meetings, the staff has presented an option for the use of 1.5 Million Dollar Bonds to be \$1 Million for the replacement of the Ground Water Storage Tank on 4th Street, \$350,000 for a Meter Replacement Program, and \$155,000 to payoff Series 2002-A Bonds. Another option will be for 1.35 Million Dollar Bond for the replacement of the Ground Water Storage Tank on 4th Street and only \$350,000 for a Meter Replacement Program but this would keep the annual payments the same as with the bond series that will be paid off next year. Mr. Gray also stated the reason the meter replacement program moved to the top of the Capital Improvements list was due to the recent leak detecting process that indicates our meters are perhaps reading slow and therefore is a source of loss of revenues. These meters have been in the ground for about 10 years or more and we need to start a replacement program. He further explained that even though there are other needs, the funds needed to meet those needs are too high for the City to consider at this time. The meter replacement program is needed and the loss of revenues will only increase as the old meters continue to deteriorate further.

Council Member Kinman made a motion to seek bids for bonds in the amount of \$1,000,000 for the purpose of replacing the 4th Street Ground Water Storage Tank and was seconded by Council Member Kemp. The motion failed with Council Members

Kinman, Kemp, and Pierce voting aye; and Mayor Perkins and Council Members Wilson, Schack, and Vaden voting no.

Mayor Perkins made a motion to seek bids for bonds in the amount of \$1,350,000 for the purpose of replacing the 4th Street Ground Water Storage Tank and \$350,000 for a Meter Replacement Program and was seconded by Council Member Schack. The motion was approved with Mayor Perkins and Council Members Wilson, Schack, and Vaden voting aye; and Council Members Kinman, Kemp, and Pierce voting no.

10. Consideration and action regarding the removal or replacement of the Electronic Sign located at N.O. Simmons Community Park.

City Manager Jim Gray explained the cost to repair the existing sign is about \$70,000 which is comparable to build a whole new sign. Although a sign is needed, it is not felt that it should take priority at this time.

Council Member Kemp made a motion to remove the Electronic Sign located at N.O. Simmons Community Park as soon as possible and was seconded by Council Member Pierce. The motion was approved unanimously.

11. Consideration and action of an Ordinance amending Chap 70, Article II Trees, Division 5 Maintenance, Section 70-86 Obstruction, Trees Pruned, Ingleside Code of Ordinance, to revise Section 70-86 and add Section 70-86 B. (First Reading)

City Manager Jim Gray explained he is bringing this to Council to help clean up the Palm Trees throughout Ingleside. When they are not properly cared for they become an eye sore and become hazardous from flying debris from palm fronds as well as harboring rodents and roaches. There were concerns with this being specific to Palm Trees and whether the average citizen could keep up with the requirements once the trees were so tall.

Council Member Kemp made a motion to pass for a second reading of an Ordinance amending Chap 70, Article II Trees, Division 5 Maintenance, Section 70-86 Obstruction, Trees Pruned, Ingleside Code of Ordinance, to revise Section 70-86 and add Section 70-86 B; and was seconded by Council Member Schack. The motion was approved with Mayor Perkins and Council Members Kinman, Kemp, Schack, and Vaden voting aye; and Council Members Wilson and Pierce voting no.

12. Consideration and action of an Ordinance adding Section 62-49 "Warrants for STOP Signs" and Section 62-50 "Multi-way STOP Signs," to the City Code of Ordinances, adopting policy regulating the replacement of Multi-way STOP Signs within the City, requiring a traffic survey using the 85 percentile methodology and requiring that certain other standards be met before installing Multi-way STOP Signs. (First Reading) (Attach)

Building Official Robert Stoddard and Police Chief Stan Bynum explained this is in response to Council's request to set guidelines for determining when Stop Signs are needed. They have researched other communities and made adjustments to better fit with our community. Mr. Stoddard gave more detail regarding the formula and how it works.

Council Member Kemp made a motion to pass for a second reading of an Ordinance adding Section 62-49 "Warrants for STOP Signs" and Section 62-50 "Multi-way STOP Signs," to the City Code of Ordinances, adopting policy regulating the replacement of Multi-way STOP Signs within the City, requiring a traffic survey using the 85 percentile methodology and requiring that certain other standards be met before installing Multi-way STOP Signs; and was seconded by Council Member Kinman. The motion was approved unanimously.

13. Consideration and action of an Ordinance repealing Ordinance # 1024 enacted February 8, 2011; amending the City's Traffic Control Device Schedule to remove from it, the North and South Bound Stop Signs on Avenue J at the intersections of 2nd Street and 3rd Street. (First Reading)

Mayor Perkins stated he continues to support these Stop Signs for the safety of the children in the neighborhood and how this street was becoming a thoroughfare for traffic. Council Member Schack stated the traffic has now shifted to Avenue K which is right next to a School Campus.

Council Member Schack made a motion to pass for a second reading of an Ordinance repealing Ordinance # 1024 enacted February 8, 2011; amending the City's Traffic Control Device Schedule to remove from it, the North and South Bound Stop Signs on Avenue J at the intersections of 2nd Street and 3rd Street: and was seconded by Council Member Pierce. The motion was not approved with Council Members Kinman, Schack, and Pierce voting aye; and Mayor Perkins and Council Members Wilson, Kemp, Vaden, and Perkins voting no.

14. Consideration and action of a Resolution authorizing the tax resale of Lots 15 and 16, Block 3, RJ Williams Addition, an addition to the City of Ingleside, San Patricio County, Texas, according to the map or plat thereof, recorded in Volume 3, Page 8, Map Records of San Patricio County, Texas.

City Manager Jim Gray stated the amount of mowing liens owed to the City is \$200 plus interest in addition to the back taxes.

Council Member Pierce made a motion to reject this Resolution authorizing the tax resale and was seconded by Council Member Kemp. The motion was approved unanimously.

15. Receive and discuss Monthly Departmental Reports for June 2011.

Council Member Pierce questioned who helped write the RFP for the NEPA Phase II process and asked how many responses were there. City Manager Jim Gray stated the staff utilized the RFP from Phase I and made adjustments and there was only one bid turned in. It has not been opened and we are seeking clarification from TxDOT before we open that bid to confirm they will accept our publication notices, documents, and responses.

16. Reports from Staff

City Manager Jim Gray stated that he has approve the exclusive use of N.O. Simmons Community Park for the Relay for Life walk scheduled for April 27 and 28, 2011.

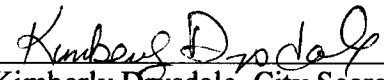
17. Requests from Council

Council Member Vaden stated he would like to see a City Abatement Program, an Enterprise or Investment Zone, or these types of programs to be adopted by the Council in order for the staff to be able to utilize as an economic development tool in order to entice businesses to the area.

18. Adjourn


There being no further business, the meeting was adjourned at 9:35 p.m.

ATTEST:



 Kimberly Drysdale, City Secretary

APPROVED:



 Mayor, Pete Perkins