

**CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
AUGUST 23, 2011**

1. Call meeting to order

The meeting was called to order at 6:32 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, City Secretary Kimberly Drysdale, and City Attorney Michael Morris. There were approximately 25 guests.

2. Invocation

3. Pledge of Allegiance

4. Presentations from the Audience

Mr. Dennis Roberts notified the Council and the Public that the San Patricio County Commissioners Court is planning to increase the County tax rate and questioned why the local newspapers have not notified the public. He stated the County is claiming the increase in tax rate is due to the decreased evaluations of the property. The upcoming Commissioners Court meeting will have an action item regarding the tax rate.

5. Consideration and action of the minutes of the City Council Meeting dated August 9, 2011.

City Secretary Kimberly Drysdale noted there were non-substantial changes noted prior to the meeting and those will be corrected. Council Member Pierce asked if agenda items 6 and 7 should state "No action taken" or be left blank. Mrs. Drysdale stated it could be done either way the Council prefers.

Council Member Pierce made a motion to approve the minutes of the City Council Meeting dated August 9, 2011 with the addition of "No action taken" to be added to the Executive Session agenda item #'s 6 and 7, and was seconded by Council Member Wilson. The motion was approved unanimously.

6. A Public Hearing regarding the City of Ingleside's submission of an application to the Texas Department of Agriculture for a 2011 Texas Capital Fund program award.

Mayor Perkins opened the Public Hearing at 6:37 p.m.

GrantWorks representative Martha Drake explained this is a Texas Capital Fund (TCF) project funded through the Community Development Block Grant (CDBG) Program to provide improved facilities and services to the community and the matching funds are supported by Kiewit Offshore Services (KOS). The proposed project will include water, sewer, and street improvements to the KOS work site in the amount of \$618,500 for construction, \$74,000 for engineering, \$50,000 for grant administration, and \$7,500 for utility easements for a total of \$750,000 grant funds. KOS will match that \$750,000 with the purchase of a piece of equipment and the commitment to provide 51 new jobs. This is actually the third TCF project with Kiewit and therefore everyone basically knows what to expect for documentation and it should be a simple process. At the pre-application process Ingleside received the highest scores and was therefore funded at 100%. With the publications, public hearings, and turning in all of the additional documentation, we are currently ahead of the process and should easily meet the mid-September deadline for the complete application.

There were no speakers for or against this project.

Mayor Perkins closed the Public Hearing at 6:43 p.m.

7. **Consideration and action of a Resolution that authorizes submission of an application to the Texas Department of Agriculture for a 2011 Texas Capital Fund grant for construction of public utility improvements to benefit Kiewit Offshore Services, Ltd.**

City Manager Jim Gray reiterated that the matching funds for the grant are 100% provided by Kiewit Offshore Services. The City of Ingleside is basically a conduit for this project and the staff will maintain the grant file and support the project as any other grant. There should be no out of pocket expenses from the City of Ingleside.

Council Member Kemp made a motion to approve Resolution # 1022 authorizing the submission of an application to the Texas Department of Agriculture for a 2011 Texas Capital Fund grant for construction of public utility improvements to benefit Kiewit Offshore Services, Ltd. and was seconded by Council Member Pierce. The motion was approved unanimously.

8. **A Public Hearing of an application by Flint Hills to change the zoning of the pier and the uplands acreage described below from its present classification of R-1 (Single Family Residential District) to I (Industrial District): a 1.62-acre tract herein designated "Parcel A", said 1.62 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to The Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, a 1.72-acre tract herein designated "Parcel B", said 1.72 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to the Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, and an 8.86-acre tract herein designated "Lease A" said 8.86-acres being out of 93.457 acres, more or less submerged land known as Tract II described in a deed to the Department of the Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and being out of the called 10.301.37-acre tract submerged land conveyed by the State of Texas to Nueces County Navigation District No. 1 by Patent 217 dated January 24,1950 as recorded in Volume 455, Page 586, Deed Records, Nueces County, Texas.**

Mayor Perkins opened the Public Hearing at 6:47 p.m.

Flint Hills representative Phil Gardner explained the pieces of property being considered and stated that only minor services and repairs to the pier are being performed at this time along with the transfer of utility services from the prior owner over to Flint Hills. The new construction to the pier is not scheduled to begin until November 2011.

There were no speakers against this zoning change.

Mayor Perkins closed the Public Hearing at 6:52 p.m.

9. **Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to I (Industrial District) and further providing for effective date, reading, severance, and publication: Being a tract consisting of 12.2 acres of upland and submerged land as described as: 1.62-acre tract herein designated "Parcel A", said 1.62 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to The Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, 1.72-acre tract herein designated "Parcel B", said 1.72 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to the Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, 8.86-acre tract herein designated "Lease A" said 8.86-acres being out of 93.457 acres, more or less submerged land known as Tract II described in a deed to the Department of the Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and being out of the called 10.301.37-acre tract submerged land conveyed by the State of Texas to Nueces County Navigation District No. 1 by Patent 217 dated**

January 24,1950 as recorded in Volume 455, Page 586, Deed Records, Nueces County, Texas. (First Reading)

Council Member Vaden requested that the Ordinance specify zoning instead of districts.

Council Member Vaden made a motion to pass for a second reading of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District) to I (Industrial District) and further providing for effective date, reading, severance, and publication: Being a tract consisting of 12.2 acres of upland and submerged land as described as: 1.62-acre tract herein designated "Parcel A", said 1.62 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to The Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, 1.72-acre tract herein designated "Parcel B", said 1.72 acres being out of 483.158 acres of land, more or less, known as Tract I described in a deed to the Department of Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and also being out of the L. Von Zacharias Survey 1, Abstract 271 in San Patricio County, Texas, 8.86-acre tract herein designated "Lease A" said 8.86-acres being out of 93.457 acres, more or less submerged land known as Tract II described in a deed to the Department of the Navy as recorded in Volume 2081, Page 483, Deed Records, Nueces County, Texas and being out of the called 10.301.37-acre tract submerged land conveyed by the State of Texas to Nueces County Navigation District No. 1 by Patent 217 dated January 24,1950 as recorded in Volume 455, Page 586, Deed Records, Nueces County, Texas: with additional clarification that the districts being referred to are "Zoning Districts" and was seconded by Council Member Pierce.

Council Member Kinman requested clarification of the reference to a buffer zone on some of the material and Building Official Robert Stoddard explained this is not a true buffer zone rather an area around the proposed property that requires notification by certified mail of the proposed zoning change.

Council Member Pierce questioned why the deeds were recorded in Neuces County and if there was any jurisdictional issues. Assistant City Manager/Finance Director Paul Baen stated that was just where the deeds were recorded, but that does not assert any jurisdiction.

Council Member Pierce withdrew his second of the motion to avoid any impropriety due to him being employed by the City of Corpus Christi. Council Member Schack seconded Council Member Vaden's original motion. The motion was approved with Mayor Perkins, and Council Members Wilson, Kinman, Kemp, Schack, and Vaden voting aye; and Council Member Pierce abstaining from the vote.

10. Presentation and discussion from San Patricio County Economic Development Corporation Executive Director Josephine Miller.

San Patricio County Economic Development Corporation (SPEDC) Executive Director Josephine Miller presented the Council with a hand-painted SPEDC emblem to accompany the artwork previously provided by SPEDC. Mrs. Miller provided an example of the requests for information from the Governor's Office and copies of the responses the staff has put together. She explained these are joint efforts with the City staff and often times with a property owner and sometimes with the Corpus Christi Regional Economic Development Corporation and the Ingleside Independent School District. Potential developers prefer more information up front and more regional teamwork. She explained another thing potential developers like is to find information on the internet and therefore they are updating their website regularly. The new video recent taped by Ole-TV helped to bring approximately 400 applicants to an area business, of which over 300 of them were qualified applicants for the positions they were seeking. It was further noted that it used to be that the number five (5) thing a potential developer looked at was incentive programs and now it is the number two (2) thing they look for from a potential site. Ms. Miller believes having a plan in place for the staff and area EDC's to help promote a site is extremely necessary because these inquires have very short deadlines. Potential developers ask questions regarding water, wastewater, electricity loads, gas availability, R/R access, building size, expansion abilities, incentive programs, and they really like pre-certified properties.

Ms. Miller also provided a copy of the Tourism magazine that is handed out across Texas, she invited everyone to attend the TPCO Groundbreaking via Telecast tomorrow, Friday, August 26, 2011 at the Portland Jr. High School as well as the SPEDC Annual Dinner set for Thursday, September 29, 2011 at the Aransas Pass Civic Center.

- 11. Consideration and action of the exclusive use of the baseball fields at Live Oak Park by the Ingleside Pony League for the September 1 through November 30, 2011 season.**

City Manager Jim Gray explained this is the request for exclusive use of the fields for the Fall Ball season.

Council Member Kemp made a motion to approve the exclusive use of the baseball fields at Live Oak Park by the Ingleside Pony League for the September 1 through November 30, 2011 season and was seconded by Council Member Pierce. The motion was approved unanimously.

- 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. (Final Reading) (Tabled from 7/26/11)**

City Manager Jim Gray stated the City Attorney's research and written opinion indicates that a municipality can set guidelines to use Stop signs for speed control. The staff recommends approving the original version of this Ordinance which specifies 25 vehicles per hour for any two hour period as well as removing the requirement of pedestrian traffic.

Council Member Kemp made a motion to approve Ordinance # 1041 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 with changes to Section 62-50 (3) Minimum traffic volumes to state at least "25" vehicles per hour for any two hours, and the removal of pedestrians altogether: and was seconded by Council Member Kinman. The motion was approved unanimously.

- 13. Consideration and action regarding the creation of the position of Assistant City Manager/Finance Director to perform the duties of the presently existing Finance Director position now filled by Paul Baen and other duties as specified by the City Manager and the appointment of Paul Baen to such newly created position. The Council may meet in closed, executive session regarding this matter in accordance with Section 551.074 Texas Government Code.**

Mayor Perkins closed the regular meeting to open the Executive Session at 7:30 p.m.

Mayor Perkins closed the Executive Session and re-opened the regular meeting at 7:45 p.m.

Council Member Pierce made a motion to create the position of Assistant City Manager/Finance Director to perform the duties of the presently existing Finance Director position now filled by Paul Baen and other duties as specified by the City Manager with no change in the pay from the existing position of Finance Director and was seconded by Council Member Kinman. The motion was approved unanimously.

- 14. Discussion and direction from Council to the Staff regarding the FY 2011/2012 Budget and receive and discuss the City's financial situation, including but not limited to its budget, revenues, expenses, assets and debts through July 2011.**

City Manager Jim Gray recapped that currently there have been no significant changes to the draft FY 2011/2012 budget; capital items will be reviewed at the six month mark; and

that all funds will be swept when all expenses are paid from the FY 2010/2011 to the capital improvements fund. We have seen a recent increase in water usage and electrical franchise fees; however, these revenue increases have not been put into the draft budget because we did not want to over anticipate the revenues until we see a longer trend. Additionally there are 45 Million Dollars of property evaluations being disputed at the Appraisal District that are not included in the anticipated taxes because their resolutions are unknown at this time. Mr. Gray also gave an overview of the options related the Senate Bill 100 as it relates to the options for future City Elections. Staff recommends the City continue with the General May Election Date and lease the equipment for the next two years to give the State Legislatures additional time to make possible changes.

Ingleside Independent School District (IISD) School Board President Teresa Flores stated they have hired a Crossing Guard for the intersection of Main Street (FM 1069) and 4th Street. Council Member Pierce expressed his desire to not assist IISD In the support of the Crossing Guard position(s) with the budgeted \$4,000 but rather move those funds to support the Special Crimes Investigator position.

Council Member Vaden questioned where the staff was in getting a fee schedule for the heavy/large traffic moving through Ingleside and Mr. Gray stated the staff is looking into that request. Mayor Perkins asked why the Attorney fees were so high this year and Mr. Gray explained there have been several unusual legal issues such as the boundary dispute, water services outside of City Limits, Industrial District Agreements, Zoning issues, and several other items that have required more than the usual amount of attorney review and discussions.

Council Member Pierce requested information regarding the difference in tax rates for \$0.6950 vs. \$0.6975 with the inclusion of the recent Industrial District Agreements.

Mayor Perkins requested the Council consider a car allowance for the Mayoral position in the amount of \$200 per month and he stated he would keep records to show the necessity.

Mr. Gray stated that during the meetings of August 25 and 30, 2011, he would need clear direction from the Council Members as to which items should be included or which should not be included in the proposed FY 2011/2012 budget.

15. Reports from Staff

City Manager Jim Gray reminded the Council of the upcoming events and requested that all RSVP's be provided to the office of the City Secretary by September 2, 2011:

- * August 26, 2011 - Movie in the Park
- * September 16, 2010 – TML Region 11 Quarterly Meeting in Port Lavaca
- * September 29, 2011 – San Patricio County Economic Development Corporation Annual Meeting at Aransas Pass Community Center
- * October 11-14, 2011 - TML Annual Conference in Houston
- * Update regarding recent San Patricio County Appraisal District Appeals
- * August 29, 2011 – Ingleside Night at the Hooks Game

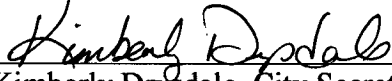
16. Requests from Council

Council Member Pierce asked if anything could be done about the Penny Saver newspapers that are thrown into people's yards all over town and become an eyesore. City Manager Jim Gray stated we have previously sought a legal opinion and we are not able to do anything about the general distributions. Council Member Pierce requested a copy of the legal opinion be forwarded to him.

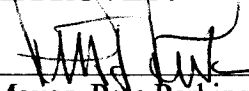
17. Adjourn

There being no further business, the meeting was adjourned at 8:34 p.m.

ATTEST:


Kimberly Drysdale, City Secretary

APPROVED:


Mayor, Pete Perkins