

**CITY OF INGLESIDE
MINUTES
CITY COUNCIL MEETING
SEPTEMBER 13, 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, Elaine W. Kemp, John F. Schack, Willie Vaden, and Paul Pierce. Council Members absent: Rayman Kinman. Council Member City of Ingleside Staff present: City Manager Jim Gray and City Secretary Kimberly Drysdale. There were approximately 20 guests.

2. Invocation

3. Pledge of Allegiance

4. Presentations from the Audience

Mr. Stewart Wilson requested the City consider not charging the water impact fee to the Cemetery on Kenny Lane because they really don't use water on a regular basis and he hopes to see a future agenda item that will not charge impact fees in similar situations. If the City won't waive this fee he requested citizens come forward to help the Cemetery to pay this approximate \$600 fee that they cannot afford.

5. Consideration and action of the minutes of the City Council Meetings dated August 23, 25, and 30, 2011.

Council Member Pierce made a motion to approve the minutes of the City Council Meetings dated August 23rd, 25th, and 30th, 2011 and was seconded by Council Member Kemp. The motion was approved unanimously.

6. Consideration and action of an Ordinance adopting the Annual Budget for the City of Ingleside, Texas for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012; estimating the revenue for said Fiscal Year; appropriating for the purposes stating the sums set forth in said Budget; and directing the City Manager to make necessary entries upon the books and accounts of the City to show the appropriations and allocations herein provided. (Single Reading)

City Manager Jim Gray and Assistant City Manager/Finance Director Paul Baen explained that for accurate disclosure purposes, the Bond Series 2011 that was recently issued should be shown as part of both the Utility Fund and the Interest and Sinking Fund. This changes the Interest and Sinking Fund debt service amount and the related Maintenance and Operations tax rate; however, the total ad valorem tax is still \$0.6975/\$100 of property value. This also affects the Total Net Revenues of the combined General, Utility and Interest and Sinking Funds. By including the debt service for the 2011 Series, the net revenues of these funds is reduced to \$2,148.

Council Member Wilson questioned why a reduction in the Library's hours is being considered when the Council agreed not to reduce any other existing programs. Mr. Gray explained this has not been done at this time; however, he is discussing the change in hours with the Library Director to better fit the actual use of the library and to provide better staffing coverage. The budget costs will still be the same because the hours of the staff are not being reduced. A reduction in hours would simply provide more overlapping of staff, to better accommodate situations when someone is out of the office whether for sick, vacation, education, or other city business.

Council Member Schack made a motion to approve Ordinance # 1042 adopting the Annual Budget for the City of Ingleside, Texas as presented at this meeting for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012; estimating the revenue for said Fiscal Year; appropriating for the purposes stating the sums set forth in said Budget; and directing the City Manager to make necessary entries upon the books and

accounts of the City to show the appropriations and allocations herein provided: and was seconded by Council Member Kemp. The motion was approved with Mayor Perkins and Council Members Wilson, Kemp, Schack, and Vaden voting aye; and Council Member Pierce voting no.

7. **Consideration and action of an Ordinance providing for the levy of taxes for the year 2011 on all real and personal property within the Corporate Limits of the City of Ingleside, Texas; and appropriating monies for the payment of expenditures for the maintenance and upkeep of the City of Ingleside, and for other purposes. (Single Reading)**

Council Member Kemp made a motion to approve Ordinance # 1043 providing for the levy of taxes for the year 2011 on all real and personal property within the Corporate Limits of the City of Ingleside, Texas; and appropriating monies for the payment of expenditures for the maintenance and upkeep of the City of Ingleside, and for other legal purposes; all based upon the tax rates presented at this meeting of \$0.563649 for Maintenance and Operations and \$0.133851 for Interest & Sinking, for a total combined rate of \$0.6975/\$100 of assessed value: and was seconded by Council Member Schack. The motion was approved with Mayor Perkins and Council Members Wilson, Kemp, Schack, and Vaden voting aye; and Council Member Pierce voting no.

8. **Consideration and action authorizing the tax resale auction of properties in Ingleside, TX identified in the letter dated August 24, 2011 from Linebarger, Gloggan, Blair, & Sampson, LLP with an opening bid of 30 % of the adjudged value; and further authorizing the resale of these properties not sold at 30% to be sold at 15% of the adjudged value.**

Attorneys Robert Cuevas and Marvin Leary of Linebarger, Gloggan, Blair, & Sampson, LLP explained to the City Council they have compiled a list of properties within the city limits of Ingleside with tax liens that have not had bids since December 2010. They would like to do another public auction of facilities and properties throughout San Patricio County on October 22, 2011 at the County Fair Grounds in Sinton. This would be publicized in all of the newspaper within the County. By including the liens owed to the City for mowing, demolition, etc, the percentage of collections owed to the City will be increased. They are requesting authorization to begin the bids at 30 % of the adjudged value; if there are no bids at that time, they request authorization to reduce the bid to 15% of the adjudged value. None of these properties are currently occupied. The majority of these properties have been on the Tax Resale list for an extended period of time. The previous owners have a restricted amount of time to reclaim the property and the time begins from the original auction at the County Court House: vacant lots have six months and those properties with Homestead exemptions or agriculture are allowed up to two years. The goal is to get these properties back on the tax rolls with citizens who will pay their taxes and maintain the property. Once purchased, the first year's taxes could be on the average assessed value of the property or the amount they actually paid, it all depends on the County Tax Assessors office, but the second year it will be figured on the average assessed value.

Council Member Pierce made a motion authorizing the tax resale auction of properties in Ingleside, TX identified in the letter dated August 24, 2011 from Linebarger, Gloggan, Blair, & Sampson, LLP with an opening bid of 30 % of the adjudged value; and further authorizing the resale of these properties not sold at 30% to be sold at 15% of the adjudged value; and was seconded by Council Member Kemp. The motion was approved unanimously.

9. **Consideration and action of an Ordinance amending the Traffic Control Device Inventory Schedules by amending Section 62.47 (School Zones); and providing for publication and an effective date. (First Reading)**

City Manager Jim Gray stated after speaking with Ingleside Independent School District (IISD) Superintendent Troy Mircovich it is felt that the School Zones should be updated to be more compatible with the current school hours. The current two hours in the morning and two and half hours in the afternoon appears excessive when there are so few

students during these extended hours. Each campus has slightly different times in order to accommodate bus schedules; however, all campuses are in class by 8:10 a.m. and the release times for the regular classes are from 2:50 p.m. to 3:15 p.m. with all afterschool tutorials ending at 3:45 p.m. Staff recommends amending the School Zone Times to be 7:00 a.m. to 8:15 a.m. and 2:45 p.m. to 4:15 p.m.

Council Member Kemp made a motion to pass for a second reading of an Ordinance amending the Traffic Control Device Inventory Schedules by amending Section 62.47 (School Zones); and providing for publication and an effective date; and was seconded by Council Member Vaden. The motion was approved unanimously.

Item # 10 was removed from the agenda at this time.

- 10. Consideration and action of an Ordinance of the City of Ingleside adopting the 2009 edition of the *International Fire Code*, regulating and governing the safeguard of life and property from fire and explosion hazards arising from storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore, repealing Ordinance No. 900 of the City of Ingleside and all other ordinances and parts of the ordinances in conflict therewith. (First Reading)**

- 11. Consideration and action of an Ordinance changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District Zone) to I (Industrial District Zone) 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. (Final Reading)**

City Manager Jim Gray stated that due to the way our City Ordinances read, the word "District" must be specified within this zoning. The word "Zone" has been added behind the word District to clarify this is an industrial district zone and not an actual industrial district outside city limits.

Council Member Kemp made a motion to approve Ordinance # 1044 changing the zoning for the following property from its present zoning of R-1 (Single Family Residential District Zone) to I (Industrial District Zone) 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. The motion was seconded by Council Member Vaden. The motion was approved with Mayor Perkins and Council Members Wilson, Kemp, Schack, and Vaden voting aye; and Council Member Pierce abstaining from the vote.

12. Consideration and action of a Resolution changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinance and in particular those monthly fees charged to users of water services.

City Manager Jim Gray explained this rate increase will not affect the average customer. This will only affect those customers that utilize a high volume of water. The rates for the usage of the first 50,000 gallons of water per month will not change. The rates for those gallons between 50,000 – 100,000 gallons of water per month will see a \$0.50 increase and those gallons over 100,000 gallons of water per month will see a \$1.00 increase.

Council Member Kemp made a motion to approve Resolution # 1023 changing various fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinance and in particular those monthly fees charged to users of water services to be effective for billings after October 1, 2011 and was seconded by Council Member Vaden. The motion was approved unanimously.

13. Consideration and action of a Resolution to adjust fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinance by amending fees assessed under Chapter 66 – Utilities, Article 2 – Water, Division 5 – Rates and Charges, Item # 10 – Tapping Fees.

City Manager Jim Gray stated these increases in tap fees is an effort to bring the fees more in line with the actual cost of the materials, use of equipment, fuel, and labor. Approximately one-third of the proposed rate is for labor and the other two-thirds covers the materials, use of equipment, and fuel. There has been no increase since 2006 and all costs of doing business have increased in that time. Some entities charge for staff time and some do not because they consider the staff time to already be allowed for in the day to day operations.

It was questioned if these new rates would affect the request for water tap to the cemetery mentioned under agenda item # 4 "Presentations from the Audience." Mr. Gray explained the rates will not be considered in effect until the notice of the Resolution is published in the local newspaper which will take about two weeks.

Council Member Pierce made a motion to approve Resolution # 1024 to adjust fees contained in Appendix "A" Fee Schedule of the Ingleside Code of Ordinance by amending fees assessed under Chapter 66 – Utilities, Article 2 – Water, Division 5 – Rates and Charges, Item # 10 – Tapping Fees; at an amount equal to two-thirds of what was presented here tonight and therefore not include the cost of labor. The motion was seconded by Council Member Schack. The motion was approved with Council Member Wilson, Schack, Vaden, and Pierce voting aye; and Mayor Perkins and Kemp voting no.

14. Consideration and action of a Resolution amending the Records Management Program for the City of Ingleside.

City Manager Jim Gray explained at the request by Council Member Kinman, this is an addendum to the State Policy already adopted by Council in order to keep the audio tapes of the City's various meetings for more longer than the State recommends. State recommendation is 90-days following the approval of the minutes of the meeting. This proposal requires two years following the approval of the minutes of the meeting. There is no additional undue cost associated with keeping the audios for two years instead of 90-days.

Council Member Wilson made a motion to approve Resolution # 1025 amending the Records Management Program for the City of Ingleside and was seconded by Council Member Kemp. The motion was approved unanimously.

15. Receive Monthly Departmental Reports for August 2011.

It was noted that the last scheduled Movie in the Park is scheduled for September 17, 2011 until next Spring. With football season and the upcoming holiday seasons, it is felt that the participation would not be as large.

16. Reports from Staff

City Manager Jim Gray reminded the Council of the upcoming events:

- * September 17, 2011 - Movie in the Park
- * September 29, 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

He also announced that the bids for the EMR facility are due in this week and as soon as we receive word back, we will notify the Council of the outcome.

17. Requests from Council

Council Member Vaden encouraged the staff to consider not charging impact fees to entities such as the cemetery mentioned in agenda item # 4 "Presentations from the Audience" because they do not require a regular usage of water. He also requested the public be more considerate of the public servants such as police and fire trying to respond to emergencies. During a recent fire, there was flagrant disrespect by inquisitive individuals to the public servants trying to protect the lives and property near the fire scene.

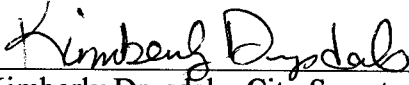
Mayor Perkins suggested that a thank you letter be put together and placed in the local newspapers thanking all of the entities and individuals who did help. As he attends various functions he will try to address on a more personable level.

Council Member Kemp thanked the staff for making sure the City's Ole TV episodes were put on the city website.

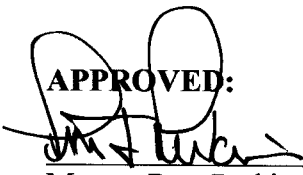
18. Adjourn

There being no further business, the meeting was adjourned at 7:43 p.m.

ATTEST:



 Kimberly Drysdale, City Secretary

APPROVED:


 Mayor, Pete Perkins