

**CITY OF INGLESIDE  
MINUTES  
CITY COUNCIL MEETING  
OCTOBER 25, 2011**

**1. Call meeting to order**

The meeting was called to order at 6:31 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 15 guests.

**2. Invocation**

**3. Pledge of Allegiance**

**4. Presentations from the Audience**

There were no presentations from the audience.

**5. Consideration and action of the minutes of the City Council Meeting dated October 11, 2011.**

City Secretary, Kimberly Drysdale noted there were clerical changes made prior to the Council Meeting and a handout with the corrections was provided to the Council.

Council Member Pierce made a motion to approve the minutes of the City Council Meeting dated October 11, 2011 with the clerical corrections noted by the City Secretary and was seconded by Council Member Kinman. The motion was approved with Council Members Wilson, Kinman, Schack, and Pierce voting aye; and Mayor Perkins and Council Members Kemp and Vaden abstaining because they were not in attendance of that meeting.

**6. Consideration and action of an Ordinance amending Chapter 66, Utilities, of the Ingleside Code of Ordinances by adding sections to address Sub Meters and Meters devoted to water charges only and providing partial exemption from sewer charges in limited cases. (First Reading)**

City Manager Jim Gray explained that in the past we have made adjustments for those customers who use City Water for irrigation purposes: for example, a customer has one water meter connected to their house/business and there are sewer fees connected to that bill; but their second water meter is not connected to anything that would drain to the City's Wastewater Treatment Plant and therefore they are only charged for the water used and no sewer fees are assessed. This is not unusual; however, we do not allow for this within our Ordinances. We are now presenting an Ordinance that will allow for situations such as this. Mr. Gray stated that other Cities have separate lines for non-potable water whereas our community only has treated water lines. Typically the non-potable water lines are charged at a reduced rate because the water is not treated water. We do not have that option and as we attempt to attract businesses to our area, we need to be prepared for this type of scenario. This will also address the average citizens as well as industries who are connected to City Water but not the Wastewater Treatment Plant.

There was one correction made to the Ordinance in Section 66-252(d) in order to be more specific that the City will not be responsible for the maintenance/replacement of the meter or line. The City will have access to read the meter only.

Council Member Kemp made a motion to pass for a second reading of an Ordinance amending Chapter 66, Utilities, of the Ingleside Code of Ordinances by adding sections to address Sub Meters and Meters devoted to water charges only and providing partial exemption from sewer charges in limited cases with the corrected wording to Section 66-252(d) and was seconded by Mayor Perkins. The motion was approved with Mayor Perkins and Council Members Wilson, Kemp, Schack, and Vaden voting aye; and Council Members Kinman and Pierce voting no.

**7. Consideration and action to hire a Municipal Court Prosecutor.**

City Manager Jim Gray stated that the current Municipal Court Prosecutor has resigned in order to take a position as a Judge with the City of Corpus Christi. Pending a recommendation from our City Attorney, the staff is requesting this item be tabled. There were no objections.

**8. Consideration and action authorizing the staff to execute the special project contract with Naismith Engineering, Inc. to perform the engineering services related to the Fourth Street One-Million Gallon Concrete Ground Storage Tank.**

City Manager Jim Gray explained that although the City recently approved a contract with Naismith Engineering to perform day-to-day Engineering Services, that contract specified that special projects would require an additional contract. This is one of those Special Projects because we will be using Bond Funds to pay for these services.

Council Member Kemp made a motion authorizing the staff to execute the special project contract with Naismith Engineering, Inc. to perform the engineering services related to the Fourth Street One-Million Gallon Concrete Ground Storage Tank in the amount of \$96,500.00; and was seconded by Council Member Vaden.

Council Member Pierce questioned whether the "City Engineer" should be doing the work they recommend be accomplished. He was concerned with a checks and balance to make sure the work is performed properly and priced appropriately. John Michael of Naismith Engineering stated he is bound by his ethical responsibility and it is his license that is at stake if he does not act in an ethical manner. As for the costs; the State of Texas recommends that the engineering fees should follow schedule A or B depending on the project. The contracted fees for this project meets the appropriate fee schedule. Mr. Michael stated that in larger Cities that have staff engineers, the method Council Member Pierce suggested works well; however, in smaller communities, it is more cost effective and time-saving to contract with the firm considered as the "City Engineer." Council Member Kinman requested that future requests include rates for comparable projects within our area.

Council Member Schack asked a few questions regarding the inspections and Mr. Michael and Mr. Gray gave a brief overview of the number of inspections; how inspections were to take place; and if a poor result were to take place, how the contractor would be required to remove that section of concrete to be re-poured and inspected until it is fixed correctly.

The motion was approved with Mayor Perkins and Council Members Wilson, Kinman, Kemp, Schack, and Vaden voting aye; and Council Member Pierce voting no.

**9. Receive the Ingleside Chamber of Commerce Quarterly Report for the period July through September 2011.**

Ingleside Chamber of Commerce (CoC) President Jan Hart provided the last quarterly report for the FY 10/11. She provided examples of the billboards currently posted near Harlingen, Texas. Council Member Vaden questioned if all of the events made money and requested the overall CoC budget. Mrs. Hart stated that if an event does not make more money than was spent on the event, they discontinue that event and she welcomed anyone to come see any/all of their budgets at their office.

**10. Consideration and action of the annual contract between the City of Ingleside and the Ingleside Chamber of Commerce.**

City Manager Jim Gray stated that each year during the budget process, the Council reviews the request by the Ingleside Chamber of Commerce (CoC) for use of Hotel/Motel Funds. Then following the approved budget, we bring the annual contract back to Council for approval. At this time we were inquiring if the Council wanted to continue to review this information twice each year or if they would like to authorize the City Manager to approve the CoC annual contract as long as it mirrors the request made during the budget process. Council Member Kemp stated she preferred seeing the contract so that she knows the contract reflects the approved budget and then she has a copy for the upcoming year to compare with the quarterly reports.

Council Member Kemp made a motion to approve the annual contract between the City of Ingleside and the Ingleside Chamber of Commerce for the FY 11/12 and for the contract to continue to be approved on an annual basis with Council action; and was seconded by Council Member Pierce. The motion was approved unanimously.

**11. Consideration and action authorizing the exclusive use of Live Oak Park and N.O. Simmons Park for specific Ingleside Chamber of Commerce Events, to allow street closure as needed at event sites, to allow them to sell beer at said events, and the closure of West Main and Main Street for specified parades throughout FY 2011/2012.**

City Manager Jim Gray stated the staff recommends approval of these requests for events. The events scheduled are: Ingleside Renaissance Faire at Live Oak Park on December 10-11, 2011 and Round-Up Days Festival at N.O. Simmons Park on March 30-31, 2012.

Council Member Kemp made the motion authorizing the exclusive use of Live Oak Park and N.O. Simmons Park for specific Ingleside Chamber of Commerce Events, to allow street closure as needed at event sites, to allow them to sell alcohol at said events, and the closure of West Main and Main Street for specified parades throughout FY 2011/2012 and was seconded by Council Member Pierce. The motion was approved unanimously.

**12. Consideration and action of a Resolution of the Ingleside Local Development Corporation appointing a new member to the Board of both the Ingleside Local Development Corporation and City of Ingleside Tax Reinvestment Zone # 1; and confirming the Directors of the Ingleside Local Development Corporation.**

City Manager Jim Gray explained these Boards typically only meet one time per year. For the Ingleside Local Development Corporation, the City Council appoints all 5 of the Directors with a majority of them residing within the City Limits of Ingleside and the Mayor typically serving as the Chair. For the Ingleside Tax Reinvestment Zone #1 (TIRZ#1), the City Council appoints 3 of the nine Directors. In years past, the Mayor, City Manager, and one Citizen have been the City's representative on the TIRZ#1 Board. Since there has been a change in the Office of the Mayor, we have not updated our representation; therefore, at this time the staff is recommending approval of the Resolution which will include the names of the Mayor, City Manager, and one Citizen.

The staff also seeks authorization to contact the other entities in order to confirm and state that these are the representatives they want to be on these Boards.

Council Member Pierce made a motion to approve Resolution # 1029 of the Ingleside Local Development Corporation appointing a new member (Mayor Pete Perkins) to the Board of both the Ingleside Local Development Corporation and City of Ingleside Tax Reinvestment Zone # 1; and confirming the Directors of the Ingleside Local Development Corporation; with the deletion of the last sentence to Section 1 urging them to appoint the Mayor as the Chair; and further authorizing the staff to seek confirmation from the other entities to either appoint new or confirm the existing representatives to these boards. The motion was seconded by Council Member Kemp and approved unanimously.

**13. Receive and discuss the City's financial situation, including but not limited to its budget, revenues, expenses, assets and debts.**

Assistant City Manager/Finance Director Paul Baen gave a brief overview of the current fund balances and stated that \$1.3 Million of the \$2.45 Million increase of funds during FY 2010/2011 is the Bond Funds for the 4<sup>th</sup> Street Ground Water Storage Tank. He further explained that after the FY 2010/2011 expenses and revenues are finalized over the next month or so, we will have more definite closing numbers. At this time, the estimated \$600,000.00 of surplus funds was transferred to the Capital Improvement Fund.

**14. Reports from Staff**

City Manager Jim Gray gave updates regarding the following items

- \* POCCA is still negotiating with Canyon Supply & Logistics and they have received at least one other letter of interest. The next scheduled meeting is Tuesday, November 8, 2011 at 9:00 a.m.
- \* The Home Grant is coming to a close and the five homes should be completed in time for the families to move back in before Thanksgiving. We will contact the Council Members with the date/time the keys will be turned over.
- \* The Mayor and Mr. Gray will be traveling to Austin this Wednesday in order to meet with State Representative Todd Hunter and TCEQ to discuss the tax credits for pollution equipment used in plants and refineries.
- \* We received a second request for information from one of the several economic development leads we have responded to that generated from the Governor's Office and are preparing additional information for that request.

**15. Requests from Council**

Council Member Kemp requested a future agenda item to give a basic overview of the TIRZ and explain what the PUD is.


Council Member Kinman stated he appreciates working with the Council and the Staff to make a great team who can agree to disagree. He thanked everyone for their hard work.

**16. Adjourn**

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

**ATTEST:**

  
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 Kimberly Drysdale, City Secretary

**APPROVED:**  
  
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 Mayor, Pete Perkins