City of Shoreacres

NOTICE OF MEETING

Notice is hereby given that a Special Meeting of the
City Council
of the City of Shoreacres, Texas, will be held on
Friday, May 13, 2016 at 6:00 p.m.
in the City Council Chambers on the first floor at City Hall, 601 Shore Acres Blvd., Shoreacres, Texas, at which time the following subjects will be discussed, to wit:

1.0 CALL TO ORDER / ROLL CALL: Members Present and Absent

2.0 BUSINESS

2.1 Approval of the Regular Council Meeting minutes for March 28, 2016. McKown

3.0 ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Shoreacres, Texas is a true and correct copy of said Notice and that I posted a copy of said Notice on the bulletin board at City Hall on May 10, 2016 at or before 11:00 a.m., at a place convenient and readily accessible to the general public at all times; to remain so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATED THIS 10TH DAY OF MAY 2016.

CITY OF SHOREACRES, TEXAS

SHOREACRES, TEXAS

BY:_____
David K. Stall, CFM, City Administrator / City Secretary

The City Council Chamber is wheelchair accessible and accessible parking spaces are available.

Requests for accommodations or interpretive services must be made at least two (2) working days prior to the meeting. Please contact City Office at 281.471.2244 or fax 281.471.8955 for additional information.

I, the undersigned, do hereby certify that this Notice of Meeting was removed from the City Hall bulletin board at _____ AM/PM on _____ , 2016.

BY:_____

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City of Shoreacres

MEETING MINUTES

The City Council of the City of Shoreacres, Texas, met in Regular Session on
Monday, March 28, 2016 at 7:00 p.m.
in the City Council Chambers of City Hall, 601 Shore Acres Blvd., Shoreacres, Texas
with the following present constituting a quorum:

Mayor	Rick Moses
Mayor pro tem	Richard Adams
Alderman	David Jennings
Alderwoman	Nancy J. Schnell
Alderman	Jerome McKown
Alderman	Mike Wheeler
City Administrator / City Secretary	David K. Stall, CFM, TEM

1.0 CALL TO ORDER / ROLL CALL:

The meeting was called to order by Mayor Rick Moses at 7:00 p.m.

2.0 PLEDGES OF ALLEGIANCE

3.0 SPECIAL PRESENTATIONS

3.1 Introduction of Officer Keith Lilley – Chief Harrison introduced Officer Lilley, the department's newest part-time officer.

4.0 APPROVAL OF MINUTES

4.1 Regular Council Meeting: March 14, 2016 – Richard Adams moved to approve the March 14, 2016, regular council meeting minutes; seconded by Mike Wheeler. Motion carried unanimously.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Moses

5.1.1 Citation revenue – Responding to a citizen comment at a previous council meeting, The Shoreacres Police Department does not write citations to generate revenue, setting a quota is an illegal act. We do not instruct such to our officers, the final outcome of any citation is up to the defendant, their attorney, our Judge and the prosecutor.

5.1.2 City Administrator performance review – Due to employee privacy issues, documents regarding Mr. Stall's performance review will be available for viewing by council members in my office after the meeting.

5.1.3 Heavy trash collection update – I thank Mayor Bechtel of Morgan's Point for his consideration in assisting us with the heavy trash collection.

5.1.4 SH-146 sound wall update - The project is now complete. A group of citizens have set a meeting with TxDOT this Friday to request the removal of one section of the newly installed wall.

5.1.5 Items of community interest – No items to report.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Public Comments:

Don Lanier – 3541 Bayou Forest: Would like for council to table item 8.2 and 8.3 for the next group of council to vote on them.

Shane Cole – 3430 Bayou Forest: Asked for a status update on the sewer line repair, the smell is horrible, cannot use their backyard. Also, said that the ditch right behind her house needs to be mowed desperately.

Gerry Victor – 3346 Miramar: Regarding proposed Ordinance to increase speed limit on certain streets, on February 22, asked council members to look at other options; On March 17, sent email to elected officials requesting them to get legal opinions from outside law firms that have worked with other cities on the same issues that we are dealing with now. Would like to know if council has acted on any of the proposals mentioned? Sent letter to TxDOT (Austin) requesting their confirmations - received two letters with the same response "Good morning, this is a City issue, we do not have jurisdiction over this matter unless it is pertaining to a state road. Let us know if you have further questions."

David Gerany – 3316 Miramar: Revenue generator is speeding citations; the city had only done one speed study, which was done on Miramar but the study was done at the wrong time; it'll needs to be done in the summer our busiest time of the year. Council need to rethink priorities, action to increase the speed limit does not need to be done right now, there are more important issues such as broken sewer line and ditches on Miramar that needs to be dug.

Darlene Bays – 626 Baywood: Opposed to the increase speed limit proposal, has lost a loved one as the result of an auto pedestrian accident. Requested Item 8.2 to be tabled for the next council to vote on. Ditches do need to be mowed.

Felicia Ramos – 3416 Sunrise Drive: If council approves the increased speed limit, then the installation of speed humps should be mandatory. Would like for our police department to give residents a heads-up if one of their neighbor is a registered sex offender. Ditches and vacant lots do need to be maintained to keep critters away.

Charlotte Wells – 3342 Miramar: Council needs to stop talking about speed limit proposal, there are a lot of speeders on Miramar, speed limit does need to be lowered, preferably to 10 mph. On accountability and transparency – would like to see this in our old and new council members and city administrator. Request for documentation relating to City Administrator: list of dues & subscriptions paid; Travel expense and professional affiliations - who determined the necessity of it; request an itemized list of travel expense, subscriptions and dues from 1st year of employment to now.

Patrick Stanton – 128 Shadylawn: Asked if SJC submits payment monthly or quarterly for contracted police patrol. Saw the chipper truck this week-end would like to have some forewarning about this, has some limbs in backyard that he would have put out for chipping. Would like to see the objective evaluation points on Mr. Stall's performance review. Commented on fiscal responsibility, audit committee. Thanked Mike Wheeler and Richard Adams for their service.

Neil Moyer - N. Country Club: Regarding Item 8.3, suggested council ask for assistance from our state senator and representative, have them ask the legislative council to review the city's authority and limitation on speed limit, then advise us on the best options to take. Therefore, Mayor Moses should take Item 8.3 off tonight's agenda or council table it.

Chuck Haist – 122 Meadowlawn: Walks on Miramar because it is 20 mph, would like to see Item 8.3 to be voted down.

Kim Sanford – 211 Shore Acres Blvd: Quoted Sec. 545.356 and 311.002 of Texas Transportation Code. The city has the exclusive power to designate speed limit on all of our streets; No study is required since 2011; Asked Ms. Schnell to request for guidance from TML legal staff – their response is that "the city can set speed limit to whatever that we wanted, as long as it is not under 20 mph. David Stall cannot put anything on the agenda. Circle Park speed limit need to be 10 mph. Regarding David Stall's contract, the city cannot afford it.

Diane Victor – 3346 Miramar: Asked council to leave the speed limit as is, there are other more important issues that council need to focus on such as sewer line problems and city finances.

7.0 ADMINISTRATIVE REPORTS

7.1 City Administrator's Report

7.1.1 West Country Club Drive sewer line project status – Contractor is set to start on April 11, it should be completed in about 2-3 day.

7.1.2 Equipment rental update – Spoke with Sunbelt Rentals and confirmed that we are receiving the best rate available on our equipment rental. They do offer a government rate but it is only for federal government and their contractors.

7.2 Monthly financial report.

General Fund Checking	$627,217.20
Utility Fund Checking	$ 81,603.63
Service Deposit Checking	$ 57,773.60
TxCDBG Checking	$ 22,824.08
TexPool	$684,615.85
Certificates of Deposit	$255,852.00
Property tax collected YTD	$820,042.71
General sales tax collected ME	$ 5,647.12
Road maintenance sales tax collected ME	$ 1,411.78

8.0 BUSINESS

8.1 Consideration and approval of invoices.

Nancy Schnell moved to approve. Seconded by Mike Wheeler. Motion carried unanimously.

8.2 Consideration and action to adopt Resolution No. 2016-163 authorizing the mayor to execute an amended professional employment agreement with the city administrator.

Mayor Moses offered, "Consideration and action to adopt Resolution No. 2016-163 authorizing the mayor to execute an amended professional employment agreement with the city administrator" and introduced the resolution and changes to the agreement negotiated with the city administrator.

Mayor Moses announced, "before we can have discussion with council . . . I'd entertain a motion for us to discuss." David Jennings said "motion." Seconded by Nancy Schnell.

The Mayor asked council if they had any questions.

Mike Wheeler commented that council had not voted on it. The Mayor clarified that there was a motion so council could talk about it before the vote and that the motion was made for discussion purposes.

David Jennings discussed the merits of the amended contract and expressed concern with some wording. And rewording was discussed and proposed.

Nancy Schnell raised an issue of past pay raise and the proposed reduction of responsibilities.

Richard Adams asked a question about the dollar value of the section removed.

With no more questions from council Nancy Schnell moved to amend page 5 of Mr. Stall's contract, section 7, omitting the 3rd paragraph beginning with "on the commencement date and ending with paid separation" furthermore, on page 6, section 11, paragraph 2, will now read "generally work a minimum 40 hours per week, Monday through Thursday." Seconded by David Jennings. Motion passed unanimously

Mayor Moses said, "Now going back to the original one, consideration of Resolution 2016-163. There is a motion on the floor that was made by Mr. Jennings, correct? And Mrs. Schnell did the second, am I correct on that? (Schnell acknowledged) All those in favor say aye. (all aye) All those against say Nay. (none heard). The Ayes have it."

8.3 Consideration and action to adopt Ordinance No. 2016-201 amending special speed zones upon certain streets and repealing a construction work zone speed limit.

David Jennings moved to discuss Ordinance No. 2016-201. Seconded by Nancy Schnell.

David Jennings moved to table Ordinance No. 2016-201. Seconded by Jerome McKown. Motion carried unanimously.

8.4 Consideration and action to set a date or range of dates for a spring Clean-Up Green-Up collection; and, approve the material to be collected and manner of collection.

Clean-Up Green-Up collection will be as follows: Roll-off container for heavy collection will be placed at Public Work April 22nd, 23rd and 24th; No earlier than April 24th residents can start putting tree limbs at the curb for pick-up on Monday, April 25th. More information will be mailed with the utility bills.

8.5 Discussion and approval of Resolution No. 2016-166 ratifying the Mayor's nominees for appointment to Position 3 of the Planning and Zoning Commission for a term beginning March 28, 2016 and ending January 31, 2017; and, appointments to Position 4 and Position 5 of the Planning and Zoning Commission for a term beginning March 28, 2016 and ending January 31, 2018.

Mayor Moses nominated the following as members of the Planning and Zoning Commission: Mr. Kendall Pickett, Position 3, two-year term ending January 31, 2018; Mr. Scott Tuma, Position 4, two-year term ending January 31, 2018; and, Mr. Johnny Hill, Position 5, two-year term ending January 31, 2018.

Richard Adams moved to approved Resolution No. 2016-166. Seconded by Mike Wheeler. Motion carried unanimously.

8.6 Discussion and approval of Resolution No. 2016-167 ratifying the Mayor's nominees for appointments to Position 5 and Position 7 of the Parks and Recreation Advisory Board for a term beginning March 28, 2016 and ending January 31, 2018.

Mayor Moses nominated the following as members of the Park and Recreation Advisory Board: Mrs. Kay Pickett, Position 5, two-year term ending January 31, 2018; Miss Morgan Jones, Position 7, two-year term ending January 31, 2018.

David Jennings moved to approved Resolution No. 2016-167. Seconded by Nancy Schnell. Motion carried unanimously.

8.0 ADJOURNMENT

With no further business pending on the agenda the meeting was adjourned by Mayor Moses at 8:41 p.m.

(C I T Y S E A L)

_____
Rick Moses, Mayor

_____
Date

ATTEST:

_____
David K. Stall, CFM, TEM
City Administrator / City Secretary

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