



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, June 27, 2017

6:00 PM

Council Chambers
200 West Walker Street

Regular Meeting

The City Council of the City of League City, Texas, met in a regular meeting in the Council Chambers at 200 West Walker Street on the above date at 6:00 p.m.

Mayor:

Pat Hallisey

City Council Members:

**Dan Becker
Hank Dugie
Larry Millican
Todd Kinsey
Greg Gripon
Keith Gross
Nick Long**

City Manager:

John Baumgartner

Assistant City Manager/Director of Finance:

Rebecca Underhill

Assistant City Manager:

Bo Bass

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Chief of Police:

Michael Kramm

Director of Human Resources/Civil Service:

Janet Shirley

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

Paul Menzies

Director of Public Works:

Gabriel Menendez

1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Hallisey called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present except Mr. Long, with Mr. Becker attending by videoconference call and Mr. Gross arriving at 6:02 p.m.

Absent 1 - Mr. Nick Long

Present 7 - Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon and Mr. Keith Gross

2. **INVOCATION, PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

The invocation was given by Rev. Paul Clines of Bay Harbour United Methodist Church. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

4. **APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS**

- 4A. 17-0406 Presentation by the Animal Shelter Advisory Committee Chairman (Mayor Hallisey and Council Member Dugie)

The presentation was given by Stacey Warner, Animal Shelter Advisory Committee Chairman.

- 4B. 17-0401 Consider and take action on appointments to boards and commissions (Mayor Hallisey and Council Member Dugie)

Mayor's Appointments:

Planning and Zoning Commission Position 1. Pamela Arnold (Term expires 12/31/18)

Parks Board Position 1. Sandra Kelly (Term expires 12/31/18)

Ethics Review Board

Position 2. Yvonne Tibai (Term expires 12/31/18)

Position 8. (Nick Long's appointment) Andy Mann (Term expires 12/31/17)

Section 4B Industrial Development Corporation Position 4. William Kent (Term expires 12/31/18)

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve as a bloc. The motion passed by the following vote:

For: 4 - Mayor Hallisey, Mr. Dugie, Mr. Kinsey and Mr. Gripon

Opposed: 3 - Mr. Becker, Mr. Millican and Mr. Gross

Absent: 1 - Mr. Long

5. **COMMUNITY SPOTLIGHT**

6. **PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING**

- 6A. 17-0410 Hold a public hearing to receive comments regarding the repurpose of the property located on 8.067 acres of land located in the Stephen F. Austin League, Abstract No. 3, in Galveston County, Texas on Walker Street adjacent to and Southwest of the League City Public Safety Building from use as parkland to use as the location of the League City Animal Shelter (Director of Public Works)

Mayor Hallisey opened the public hearing at 6:18 p.m.

| NAME | ADDRESS |
|--------------------|----------------------|
| Michael Hendershot | 828 Arlington Pointe |
| Valerie Connatser | 423 White Oak Pointe |
| Laura Lechago | 2914 Marlin Court |
| Alison Steel | 708 Arlington Pointe |
| Lawrence Baitland | 708 Arlington Pointe |
| Monica Millican | 934 Plantation |
| Maria Shaver | 2138 Lakewind |

Mayor Hallisey closed the public hearing at 6:42 p.m.

- 6B. 17-0411 Consider and take action on a resolution to repurpose the property located on 8.067 acres of in the Stephen F. Austin League, Abstract No. 3, in Galveston County, Texas on Walker Street adjacent to and Southwest of the League City Public Safety Building from use as park land to use as the location of the League City Animal Shelter (Director of Public Works)

A motion was made by Mr. Dugie, seconded by Mr. Millican, to approve Resolution No. 2017-102 to repurpose the property located on 8.067 acres of in the Stephen F. Austin League, Abstract No. 3, in Galveston County, Texas on Walker Street adjacent to and Southwest of the League City Public Safety Building from use as park land to use as the location of the League City Animal Shelter. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

7. CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL

The privilege of speaking at this time is limited to the following persons: residents, persons having an ownership interest in property or a business located within the City, or their attorneys.

A statement of no more than 3 minutes may be made. There will be no yielding of time to another person. State law prohibits the Mayor and members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Act. Comments should be directed to the entire Council, not individual members of Council or staff. If addressing a specific agenda item, speakers must keep their remarks specific to the item being considered by the City Council. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated.

| NAME | ADDRESS | SUBJECT |
|------------------|--------------------|-------------------------|
| Monica Millican | 934 Plantation | Animal Shelter 10E |
| Robin Chichester | 409 Civil | Parks Board Appointment |
| Trevor Tidwell | 2104 Bayou Cove Ln | Watkins Well |

8. COMMENTS/REPORTS FROM MEMBERS OF COUNCIL

Announcements concerning items of community interest. No action will be taken or discussed.

Todd Kinsey said on Thursday, June 29, at 10:15 a.m. there will be a family program entitled Texas Snakes. This program will be at the Civic Center rather than the library to accommodate the large number of attendees that are expected. This presentation will also include exhibits with live snakes and other creepy crawlers. On Monday, July 3, at 1:00 p.m. the Antiques Roundtable will meet in the library boardroom to discuss heirloom lace, embroidery, and sewing. The library will be closed on Tuesday, July 4th, in observance of Independence Day. On Tuesday, July 11, at 3:00 p.m. teens can attend Teen Tasty Tuesday and make Pizzadillas. They wanted me to caution that if you have food allergies you may not want to attend or at least contact the library. I wish everybody a safe and happy 4th.

Dan Becker had no comments.

Keith Gross had no comments.

Hank Dugie said thank you everyone for being here. I want to start off by saying that I haven't seen Mr. Gross that excited to be at a meeting since our council teambuilding workshop when we had toys on the table. Ms. Shaver, you can bring Major back more often. I think he's good for the atmosphere over all. On a little bit more serious note, I didn't speak on the item about the board appointments but it was a split vote so I think it would be good to get my thoughts out there. For me, having served on the Planning and Zoning Commission during a somewhat tumultuous time, I have a unique appreciation for all the volunteers in the city who serve on our boards and commissions and I tend to err on the side of giving people who apply to serve on those boards and commissions the benefit of the doubt. We have a set of standards in place and as long as applicants meet those standards and they have a mayor or council sponsor, I'm inclined to support them as well. I don't think that all of our board appointments are perfect, I don't think that any of us sitting on council are perfect. I know I'm not, but I do want our board members and our commissioners to be qualified and to have a diverse perspective. That's my thoughts on board appointments. I also want to take this time to say thank you again to everyone who does serve in some capacity as a volunteer for the city because what makes League City the greatest city in the world is its people and we wouldn't be who we are and where we are today if it wasn't for all of you, so thank you for what you do and I hope we get it right more times than not.

Greg Gripon said I hope everybody is having a wonderful summer. It's been a lot of fun so far. I attended the Harris County Mayors and Council Association Boat Tour of the Houston Ship Channel. It was a lot of fun going for a ride down and seeing all the ships and it was kind of eye opening too. They're pretty large. Tomorrow League City will be hosting the Galveston County Transit District Board meeting right here. This coming Sunday, the League City Lion's Club will be hosting its monthly senior breakfast. That means, Larry, you can attend and so can you, Mayor Pat. On Monday we're going to bring back fireworks to League City. We're going to have live music, food trucks, moonwalks, vendors and we're going to have fireworks. This is at the Sportsplex coming up on Monday. On Tuesday, July 4, we're going to have our Citizen Appreciation Day at League Park. I'm going to be there serving hot dogs. Come out, bring the family and make it a great family day.

Larry Millican had no comments.

Mayor Pat Hallisey said I agree with Mr. Gripon, one of the things that makes this community really great is that there is a small-town feel. We live in a large town, you all know that because of the traffic that you endure every single day, but we do have a small town feel and I think all councils since the beginning have worked hard to keep that. Where you see that illustrated at its best is going to be on July 3 at the Chester Davis Sportsplex when we have a fireworks display. That's the first fireworks display I ever remember in town so I think it's a significant thing. Kids love fireworks, parents love fireworks, scouts love fireworks, and I hope all of you come. There will be food and live music. Billy Miles and the Miles of Texas will be there. He works for the City. Great country music. The next day, July 4, will be our traditional July 4th activities at the park. I think last year there may have been two to three thousand people. We're hoping to double that this year. There will be music in the park and as Mr. Gripon pointed out, we will be serving hot dogs. I hear there will be watermelon served like we did last year and it's a good opportunity to meet your neighbors and I hope that those of you who are homeowner association presidents or involved on the boards, that you make sure that gets out to everyone. I also want to tell you that on the 4th of July at 10:00 a.m., the League City Historical Society will have their annual Teddy Bear Parade. It's the cutest thing you'll ever see. All the little kids under 10 years old with their wagons dressed up in Victorian outfits to current outfits. There are a lot of kids that participate and if you have children under 10, you can be at the One Room Schoolhouse on Kansas Street at 10:00 in the morning and they will sign you up. I believe it's free, I hope. Tell them I said it was free. On some sadder notes, last week James Davis, who was a city council member in this city at a very significant time back in the early '70's when this complex was built, passed away. He was a long-time realtor in the area. He was a great guy and we send our prayers to his family. Also, this morning we learned that Bill Ludwig passed away. Some of you may know Bill from Ludwig Catering, that he started a good number of years ago, but Bill started his career in League City as a postman. He walked the mail all through the neighborhoods. He was a bit of a character if you ever met him. You could go to any grocery store and he would be holding court, telling people about how it was when he was younger. His wife,

Dorothy, survives him. She is a Ghirardi. Many of you have heard about the Ghirardi oak that the city tried to save. She and her sister that owns Gay Pontiac, Marie Gay, are Ghirardi sisters. They are pretty much the last of the family. The brothers have passed away. They were part of the original 10 Italian families that migrated to League City in the 1880's. Getting to be the end of an era. Also, we send our prayers to Fay Stelly, whose husband Ed passed away this year. Ed and Fay bought and planted the Christmas tree that you come to every year out here in front of the library for our Christmas festivities. Sweet people. They still have children that are in the area. We send our prayers to all of them for Fay who's not doing very good. Those are my difficult things to get through. I want to wish everybody a very happy 4th of July. We live in the greatest country on the face of the earth. We're not perfect but as I said earlier, God forgives us for our sins. We're happy to be here and whatever mistakes we do make, this system has withstood almost 250 years. God bless everybody and have a good time on the 4th and we'll see you in the park.

9. REPORTS FROM STAFF MEMBERS

Announcements concerning items of community interest. No action will be taken or discussed.

John Baumgartner, City Manager, said I would like to add on to some of the holiday announcements. Just as a reminder to the residents, on July 4th we will run our regular solid waste routes, so if you have residential trash service on Tuesday you will be able to put your trash out and have it picked up. All the City offices will be closed. Emergencies services will run. The pool on Walker Street will also be open from 1:00 p.m. to 6:00 p.m. I'm excited about the fireworks. Unfortunately, I'm going to miss that. It will be the first for the fourth on the third fireworks celebration. Before we had planned the fireworks, I had scheduled a vacation and council said you can go on vacation for a week, John, so I will be in Juneau, Alaska with friends and family. For Juneau it's the biggest holiday of the year. It's the day that the mines closed so that's a big celebration there too but mostly I get to go visit family while I'm up there. It's a little cooler. You get out of the 98 degrees and humidity, it's probably 65 degrees and sunny and we'll go to the beach. Yes, we go to the beach in Juneau. Lastly, I would like to announce a new addition to our staff. We have Susan Oyler. She's our new Project Manager for the Engineering Department. She's a graduate from the University of Michigan in 2001. She has a Bachelor of Science in Civic Engineering. She's a licensed engineer in the state of Illinois. She's working on getting that license here in Texas. We're excited to have her. She will help us continue our desire to push our CIP forward and again, we're excited to have her. Thank you, Susan.

9A. 17-0390 Presentation of the Appraisal Records Audit Report (City Auditor)

City Auditor Michelle Tressler presented the report.

- 9B. 17-0400 Presentation of the Financial Report for Quarter Ended March 31, 2017 (Assistant City Manager)

Rebecca Underhill, Assistant City Manager/Finance Director, presented the report.

10. **CONSENT AGENDA**

Approval of the Consent Agenda

Item 10C was pulled by Mr. Dugie.

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Consent Agenda Items 10A through 10F with the exception of 10C. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

- 10A. 17-0360 Consider and take action on a resolution authorizing a Payment and Acknowledgement Agreement with Westwood Development, Ltd. in compliance with a development agreement related to improvements in Tax Increment and Reinvestment Zone #4 in an amount not to exceed \$4,151,325 (Assistant City Manager / Director of Finance)

Approved on the Consent Agenda - Resolution No. 2017-103

- 10B. 17-0405 Consider and take action on a resolution approving a two-year contract with Envirodyne Laboratories, Inc., for the City's wastewater laboratory testing services in an amount not to exceed \$120,000 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-104

- 10C. 17-0387 Consider and take action on a resolution accepting a Water Line Easement conveyance from MH League City Realty Ltd. associated with the potable water line serving the Mac Haik Toyota Service Center located at 2112 Gulf Freeway South (Director of Public Works)

A motion was made by Mr. Dugie, seconded by Mr. Gross, to approve Resolution No. 2017-105 accepting a Water Line Easement conveyance from MH League City Realty Ltd. associated with the potable water line serving the Mac Haik Toyota Service Center located at 2112 Gulf Freeway South. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

- 10D. 17-0389 Consider and take action on a resolution awarding a construction contract with Main Lane Industries, Ltd., for package 2 of the 2017 Asphalt Streets Rehabilitation Project (RE1704A), in the amount not to exceed \$1,010,000, authorization of a work change directive budget in the amount not to exceed \$101,000, and authorization of a construction material testing services budget in the amount not to exceed \$30,300 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-106

- 10E. 17-0393 Consider and take action on a resolution authorizing a professional services agreement with Jackson & Ryan Architects to perform the Engineering Design and Construction Phase Services related to the Animal Shelter Project (PD1502) in an amount not to exceed \$650,000 (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2017-107

- 10F. 17-0382 Consider and take action on a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances of the City of League City entitled "Parades and Processions Generally" for partial lane closures and to waive City costs associated with traffic control for the West Bay Common School Children's Museum "Teddy Bear Parade" to be held July 4, 2017 (Chief of Police)

Approved on the Consent Agenda

END OF CONSENT AGENDA

11. OLD BUSINESS

- 11A. 17-0373 Consider and take action on a resolution authorizing a contract with Bay Area Houston Convention & Visitors Bureau to assist in advertising, marketing, and promotion of tourism and conventions for League City (Mayor Hallisey and Council Member Dugie)

A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve Resolution No. 2017-108 authorizing a contract with Bay Area Houston Convention & Visitors Bureau to assist in advertising, marketing, and promotion of tourism and conventions for League City. The motion passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 1 - Mr. Becker

Absent: 1 - Mr. Long

12. NEW BUSINESS

- 12A. 17-0409 Consider and take action on a request by Lynn Watkins of Venture 2, LLC. for variances to Chapter 42, Article III, of the League City Code of Ordinances entitled "Oil and Gas Well Drilling" related to a proposed drilling permit application for a site generally located south of the Magnolia Creek Golf Course, southwest of the Brittany Lakes Subdivision, east of Bay Area Boulevard, and west of Landing Boulevard (Director of Planning and Development)

A motion was made by Mayor Hallisey to table this item with the caveat that the item remain on the agenda for the coming meetings.

The previous motion was withdrawn and a motion was made by Mayor Hallisey, seconded by Mr. Gross, that this agenda item be postponed to the next meeting. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

- 12B. 17-0351** Consider and take action on a resolution adopting City of League City Rules of Procedure for the City Council (Mayor Pro Tem Kinsey and Council Member Millican)

A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve Resolution No. 2017-109, adopting City of League City Rules of Procedure for the City Council. The motion passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Opposed: 1 - Mr. Becker

Absent: 1 - Mr. Long

- 12C. 17-0369** Consider and take action on a resolution to amend the policy regarding invocations at meetings of the City Council (Mayor Hallisey and Council Member Dugie)

A motion was made by Mr. Kinsey, seconded by Mr. Dugie, to approve Resolution No. 2017-110 to amend the policy regarding invocations at meetings of the City Council. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

13. FIRST READING OF ORDINANCES

- 13A. 17-0399** Consider and take action on an ordinance amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for Fiscal Year 2017 by amending Ordinance No. 2016-30, Ordinance No. 2017-02, and Ordinance No. 2017-09 to adjust the operating and capital budget for actual and projected expenditures (Assistant City Manager)

Staff requests first and final reading.

A motion was made by Mr. Millican, seconded by Mr. Gross, to approve first and final reading of this ordinance. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

A motion was made by Mr. Gross, seconded by Mr. Kinsey to approve Ordinance No. 2017-17, amending the City of League City, Texas, Governmental, Proprietary, and Capital Funds Budget for Fiscal Year 2017 by amending Ordinance No. 2016-30, Ordinance No. 2017-02, and Ordinance No. 2017-09 to adjust the operating and capital budget for actual and projected expenditures. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

- 13B. 17-0368 Consider and take action on an ordinance amending Article IV of Chapter 74 of the Code of Ordinances of the City of League City, to create a single standard for alcoholic beverages in city parks (Council Member Gripon and Council Member Dugie)

A motion was made by Mr. Kinsey, seconded by Mr. Gross, that this agenda item be postponed to the next meeting. The motion passed by the following vote:

For: 7 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 1 - Mr. Long

14. **TABLED ITEMS SUBJECT TO RECALL**

15. **ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED**

16. **EXECUTIVE(CLOSED) SESSION(S)**

At 9:05 p.m. Mayor Hallisey announced the City Council will now go into executive session to discuss the following items:

- 16A. 17-0407 Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment, appointment or evaluation of a public officer or employee, to-wit: City Manager (Mayor Pro Tem Kinsey and Council Member Dugie)
- 16B. 17-0412 Texas Open Meetings Act, Government Code Section 551.072 - Deliberations about real property
- Discuss potential purchase, sale, exchange, lease, or value of real property (City Manager)
- 16C. 17-0416 Texas Open Meetings Act, Section 551.071 Government Code - Consultation with Attorney
- Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (City Attorney)

At 9:47 p.m. Mayor Hallisey reconvened the regular meeting and announced there was no final action, decision or vote with regard to any matter considered in the executive session just concluded.

Absent 2 - Mr. Dan Becker and Mr. Nick Long

Present 6 - Mayor Pat Hallisey, Mr. Hank Dugie, Mr. Larry Millican, Mr. Todd Kinsey, Mr. Greg Gripon and Mr. Keith Gross

17. ACTION ITEM(S) FROM EXECUTIVE SESSION(S)

- 17A. 17-0408** Consider and take action on discussion regarding employment, appointment or evaluation of a public officer or employee, to-wit: City Manager (Mayor Pro Tem Kinsey and Council Member Dugie)

A motion was made by Mr. Dugie, seconded by Mr. Kinsey, to approve the goals as discussed in executive session. The motion passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Kinsey, Mr. Gripon and Mr. Gross

Absent: 2 - Mr. Becker and Mr. Long

18. ADJOURNMENT

At 9:48 p.m. Mayor Hallisey said, there being no further business this meeting is adjourned.

**PAT HALLISEY
MAYOR**

**DIANA M. STAPP
CITY SECRETARY**

(SEAL)

MINUTES APPROVED: