



# City of League City, TX

300 West Walker  
League City TX 77573

## Meeting Minutes City Council

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Tuesday, January 12, 2016

6:00 PM

Council Chambers  
200 West Walker Street

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### Regular Council 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:** Tim Paulissen

**City Council Members:** Dan Becker  
Vacant  
Heidi Hansing  
Todd Kinsey  
Geri Bentley  
Keith Gross  
Nick Long

**City Manager:** Mark Rohr  
**Deputy City Manager:** John Baumgartner  
**Asst. City Manager/Director of Finance:** Rebecca Underhill  
**City Attorney:** Nghiem V. Doan  
**City Secretary:** Diana M. Stapp  
**Chief of Police:** Michael Kramm  
**Director of Engineering:** Earl Smith  
**Director of Human Resources/Civil Service:** Queenell Fox  
**Director of Parks & Cultural Services:** Chien Wei  
**Director of Planning & Development:** Paul Menzies

#### 1. CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Paulissen called the meeting to order at 6:00 p.m. and called the roll. All members of Council were present except Ms. Hansing.

**Absent** 1 - Ms. Heidi Hansing

**Present** 6 - Mayor Tim Paulissen, Mr. Dan Becker, Mr. Todd Kinsey, Ms. Geri Bentley, Mr. Keith Gross and Mr. Nick Long

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

The invocation was given by Ralph Bryant, Minister of League City Church of Christ. Mayor Paulissen led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. [16-0790](#) November 24, 2015 Regular Meeting

3B. [16-0780](#) December 8, 2015 Regular Meeting

3C. [16-0791](#) December 22, 2015 Regular Meeting

Mayor Paulissen asked if there were any corrections. He said hearing none, these minutes are approved.

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

4A. [16-0781](#) Presentation of a proclamation recognizing Thomas B. "Beau" Miller (Mayor Paulissen)

4B. [16-0782](#) Presentation of a proclamation recognizing Ed Linck (Mayor Paulissen)

4C. [16-0783](#) Presentation of a proclamation recognizing Jerry Dornak (Mayor Paulissen)

4D. [15-0774](#) Consider and take action on appointment of a member to the Board of Directors of the Harris-Galveston Subsidence District (Mayor Paulissen)

**Mayor Paulissen recommended reappointment of Jason Hayley to the board; if nominated by a majority of Galveston County cities, he will serve a 2-year term.**

**A motion was made by Ms. Bentley, seconded by Mr. Long, to approve the reappointment of Jason Hayley to the Board of Directors of the Harris-Galveston Subsidence District. The motion passed by the following vote:**

**For:** 6 - Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

**Absent:** 1 - Ms. Hansing

4E. [15-0768](#) Consider nominations to the Ethics Review Board (Mayor Paulissen)

**This item is for nomination only, with confirmation to be considered at the January 26, 2016 meeting.**

**Position 1 - Ruth Morrison - (Mayor Paulissen's appointee)**

**Position 4 - Cheryl Bordwine - reappointment (Council Member Hansing's appointee)**

**Position 8 - Loretta Roberts - (Council Member Long's appointee)**

**5. COMMUNITY SPOTLIGHT****6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING**

- 6A. [16-0785](#)** Hold a public hearing on Special Use Permit Application SUP15-05 (Dow Hydrocarbons & Resources Pipeline), for the construction of an underground pipeline on properties zoned "OS" (Open Space), "CG-PUD" (General Commercial with a Planned Unit Development Overlay), "OS-PUD" (Open Space with a Planned Unit Development Overlay), and "RSF-10" (Residential Single Family with a Minimum Lot Size of 10,000 square feet), being located in the HL&P easement, generally north and south of League City Parkway, south to the existing city limits of League City, north of FM 646, west of SH 146 (Director of Planning and Development)

**Mayor Paulissen opened the public hearing at 6:17 p.m.**

**No one signed up to speak.**

**Mayor Paulissen closed the public hearing at 6:17 p.m.**

- 6B. [16-0786](#)** Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP15-05 Dow Hydrocarbons & Resources Pipeline), for the construction of an underground pipeline on properties zoned "OS" (Open Space), "CG-PUD" (General Commercial with a Planned Unit Development Overlay), "OS-PUD" (Open Space with a Planned Unit Development Overlay), and "RSF-10" (Residential Single Family with a Minimum Lot Size of 10,000 square feet), being located in the HL&P easement, generally north and south of League City Parkway, south to the existing city limits of League City, north of FM 646, west of SH 146 (Director of Planning and Development)

Planning and Zoning Commission recommended approval with conditions, 4-0-0 with one member absent on December 21, 2015.

**A motion was made by Ms. Bentley, seconded by Mr. Gross, to approve Ordinance No. 2016-01 amending Ordinance No. 2005-24 for a Special Use Permit (SUP15-05 Dow Hydrocarbons & Resources Pipeline), for the construction of an underground pipeline on properties zoned "OS" (Open Space), "CG-PUD" (General Commercial with a Planned Unit Development Overlay), "OS-PUD" (Open Space with a Planned Unit Development Overlay), and "RSF-10" (Residential Single Family with a Minimum Lot Size of 10,000 square feet), subject to conditions as recommended by staff. The motion passed by the following vote:**

**For:** 6 - Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

**Absent:** 1 - Ms. Hansing

- 6C. [16-0787](#)** Hold a public hearing on Special Use Permit Application SUP15-09 (Vanderford Air), for a Warehousing and Indoor Storage use on approximately 1.5 acres on property zoned "CO" (Office Commercial), generally located south of FM 646, north of 17th Street, east of Delaware Avenue and west of State Highway 3, with the approximate address being 201 West FM 646 in League City, Texas (Director of Planning and Development)

**Mayor Paulissen opened the public hearing at 6:19 p.m.**

**No one signed up to speak.**

**Mayor Paulissen closed the public hearing at 6:19 p.m.**

- 6D.     [16-0788](#)           Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP15-09 Vanderford Air), for a Warehousing and Indoor Storage use on approximately 1.5 acres on property zoned "CO" (Office Commercial), generally located south of FM 646, north of 17th Street, east of Delaware Avenue and west of State Highway 3, with the approximate address being 201 West FM 646 in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval with conditions, 4-0-0 with one member absent on December 21, 2015.

**A motion was made by Ms. Bentley, seconded by Mr. Becker, to approve Ordinance No. 2016-02 amending Ordinance No. 2005-24 for a Special Use Permit (SUP15-09 Vanderford Air), for a Warehousing and Indoor Storage use on approximately 1.5 acres on property zoned "CO" (Office Commercial), subject to conditions recommended by staff. The motion passed by the following vote:**

**For:**   6 -     Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

**Absent:**   1 -     Ms. Hansing

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 on items of general relevance. 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 Law. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges and expulsion from Council Chambers.**

| NAME            | ADDRESS              | SUBJECT        |
|-----------------|----------------------|----------------|
| Monica Millican | 934 Plantation       | Animal Shelter |
| Kim Harman      | 5204 Cross Creek Ct. | Ethics         |

8.     **COUNCIL MEMBERS COMMENTS/REPORTS**

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

Geri Bentley said we thank you for coming. Thank you for the reminder. We do serve you citizens. We serve you all. That is my key thing that I do. That's what I'm here to do. I would like to wish everybody a happy, healthy and wealthy new year. It's going to be a great year. I went to a Builders Association Luncheon this afternoon and heard the forecast for the next year. It's not real good. Part of it is oil, however the City of Houston and the surrounding areas really only depends on around ten percent of the oil business and as we know our city is growing. We hit our milestone of 100,000 people. The good part of this was people are still looking for quality places to live, they're looking for quality homes and that's what we have in League City, so I think we're going to be all right. On a personal note, I think some of you know my husband passed away a few weeks ago and I would like to thank everybody for the kind words, for the condolences and for the prayers. Thank you very much.

Keith Gross said welcome to the League City council meeting. First thing I would like to say is thank you to Ms. Harmon. You have heard me on one occasion or another, encourage the people of League City to participate in government by way of voting and by way of coming up here. We give you three minutes and give you our un-captivated attention to listen to what you have to say. I heard everything that Ms. Harmon had to say and I know she's not alone because I've heard a lot of things in between now and the last meeting that really do reflect her sentiments too and I want to let you know thank you for coming and your voice was heard. The next thing, moving on, I would like to inform the people that there is an election coming up where two people are running for mayor, Pat Hallisey and Jean Kranz. You have an opportunity to get to meet these people. You have an opportunity to talk to them, listen to what they have to say and then intelligently cast your vote. Pat Hallisey is having a meeting, and you will have an opportunity to meet him, on January 19 at Butler's Courtyard at 5:30 p.m. I would encourage all you people who intend to vote, please go out and meet him and hear what he has to say. Jean Kranz is also running for mayor. You will have the opportunity to meet Ms. Kranz on January 15 at 6:00 p.m. at Walding Station. I would encourage you to meet Jean Kranz, ask her questions so you can cast an intelligent vote. That is the best way you can participate in government. I would also like to welcome Hank Dugie. He is councilman-elect. He ran unopposed, so we don't have to wonder who will be sitting in that chair in a couple of months. Welcome to council. Lastly, a couple of months ago I had the opportunity to meet a League City employee, acting in the course and scope of his duty. I was, unfortunately I was rear-ended on the street and the League City police had to come and investigate the accident and I met a police officer that acted with such a high degree of professionalism and courtesy throughout the accident investigation that I thought he should be recognized and since I was 18 I've been stopped a dozen times and interacted with police officers. Never before had I met one that I thought his character, his professionalism, his integrity was so high that he deserved some recognition. That officer is Daniel Mercurio. He was knowledgeable, respectful, he handled the accident scene and both people that were involved in the accident were treated with the upmost courtesy and respect and he is a fine representative of the League City Police Department and we should be proud to have somebody like him on the force.

Nick Long said I would like to wish everybody a Happy New Year. I would like to say thank you to Mr. Miller for his service for the Library Board for 41 years. That's an amazing feat, to stick at something for so long. I would also like to thank both the Lincks and the Dornaks for their service on the Historical Commission and all the work they've done and to Ms. Millican as well because the volunteers behind the scenes in League City really do make all the difference. If we had to pay people to do the work of the Historical Society, or if we had to pay people, I don't even know if you could pay people to have the passion for animals as Ms. Millican, but for all these different things it would drain our budget and you wouldn't get the same kind of performance out of it, so I think the volunteers are a huge asset to our community and I really thank every volunteer in every facet for what they do for the City. Thank you.

Dan Becker said I am reminded of something that occurred in fairly recent history. This country had four American heroes that instead of doing nothing when it wasn't their job or responsibility, charged to the sound of the guns. Four American heroes died trying to save fellow Americans in Benghazi. And we had an official who testified before Congress under oath, and the comment was "what difference does it make"? When you're not telling the truth, it makes a difference.

Todd Kinsey said speaking of heroes, the Salute to Heroes concert will be at the South Shore Harbour Ballroom. It's coming up this April 2 at 7:00 p.m. There are a few tables left. This year's entertainer is B.J. Thomas. Senator Taylor will be our auctioneer this year and Dr. Smith with CCISD is our emcee. I invite you guys to come out. It's a great evening, a patriotic evening. No politics, it's just honoring people that serve our country. Finally, over at the library the programs are kicking off. The spring 2016 computer class season begins this Wednesday, January 13 at 10:00 a.m. This class covers basic parts of a computer. The Local Author's Hour meets on January 14 at 10:15 a.m. This month's featured guest is Kenyatha V. Loftis, author of "The Secrets of Carter House" and finally for families, Jean Kuecher from Marionette Playhouse will present Sleeping Beauty with puppets at 6:30 p.m. on Tuesday, January 19.

**9. MAYOR COMMENTS/ REPORT**

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

Mayor Paulissen had no comments.

**10. REPORTS FROM STAFF MEMBERS**

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

There were no staff reports.

**11. CONSENT AGENDA**

## Approval of the Consent Agenda

**A motion was made by Mr. Becker, seconded by Mr. Kinsey, to approve Consent Agenda Items 11A through 11G. The motion passed by the following vote:**

**For:** 6 - Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

**Absent:** 1 - Ms. Hansing

- 11A. [15-0766](#)** Consider and take action on a request by the St. Mary Catholic School for a variance to the Code of Ordinances of the City of League City, Chapter 74, Article I, Section 74-1, and entitled "Hours for use of city parks and boat ramps" for use of Hometown Heroes Park on April 30, 2016 - May, 1, 2016 for an annual school fundraiser (Director of Parks and Cultural Services)
- Approved on the Consent Agenda**
- 11B. [16-0775](#)** Consider and take action on a request on behalf of Clear Creek Community Church to grant a variance to Chapter 110, Article I, Section 110-5 of the Code of Ordinances for 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 "Clear Creek 5K Run, Walk and Fitness Challenge" on February 6, 2016 (Chief of Police)
- Approved on the Consent Agenda**
- 11C. [16-0776](#)** Consider and take action on a resolution authorizing the first amendment to the interlocal agreement by, between and among the City of League City, Texas, Reinvestment Zone Number Four of League City, Texas (Westwood TIRZ), and the County of Galveston (Assistant City Manager)
- Resolution No. 2016-01 was approved on the Consent Agenda**
- 11D. [16-0784](#)** Consider and take action on a request for consent to encroach for a proposed monument sign to be constructed within the City's Landing Boulevard right-of-way (Deputy City Manager)
- Approved on the Consent Agenda**
- 11E. [15-0771](#)** Consider and take action on acceptance of "Utility Conveyance and Security Agreement" with Galveston County Municipal Utility District No. 14 for water, sanitary sewer, and drainage facilities to serve Bay View, Section Two, Phase One (Deputy City Manager)
- Approved on the Consent Agenda**
- 11F. [15-0773](#)** Consider and take action to ratify the contract with David White Construction for the emergency repair of the 54-inch storm sewer pipe outfall on West Nasa Road in the amount of \$106,323 (Deputy City Manager)
- Approved on the Consent Agenda**

- 11G. [15-0772](#) Consider and take action on a resolution awarding a construction contract to Vaca Underground Utilities, Inc., in the amount of \$193,030, for the repair and restoration of the Bay Area Blvd. sound walls at Alderwood Street as part of the Sound Wall Repair Project (WW1501), and authorizing the expenditure of \$23,163 for a Work Change Directive and Material Testing Services budget (Deputy City Manager)

**Resolution No. 2016-02 was approved on the Consent Agenda**

**END OF CONSENT AGENDA**

**12. OLD BUSINESS**

**13. NEW BUSINESS**

- 13A. [16-0789](#) Consider and take action to adopt a population estimate of 100,053, as of January 1, 2016, for use in all city-related business in calendar year 2016 (Director of Planning and Development)

**A motion was made by Mr. Long, seconded by Mr. Kinsey, to adopt a population estimate of 100,053, as of January 1, 2016, for use in all city-related business in calendar year 2016. The motion passed by the following vote:**

**For:** 6 - Mayor Paulissen, Mr. Becker, Mr. Kinsey, Ms. Bentley, Mr. Gross and Mr. Long

**Absent:** 1 - Ms. Hansing

**14. FIRST READING OF ORDINANCES**

**15. TABLED ITEMS SUBJECT TO RECALL**

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

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

**At 6:40 p.m. Mayor Paulissen announced the City Council will now go into executive session to discuss the following item:**

- 17A. [15-0770](#) Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property

Discuss potential purchase or sale of real property interests (Deputy City Manager)

**At 6:50 p.m. Mayor Paulissen 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.**

**18.     ACTION ITEM(S) FROM EXECUTIVE SESSION(S)**

- 18A.     [15-0769](#)**           Consider and take action on discussion concerning potential purchase or sale of real property interests (Deputy City Manager)

**No Action**

**19.     ADJOURNMENT**

**At 6:51 p.m. Mayor Paulissen said there being no further business, this meeting is adjourned.**

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**TIMOTHY PAULISSEN  
MAYOR**

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**DIANA M. STAPP  
CITY SECRETARY**

**(SEAL)**

**MINUTES APPROVED: January 26, 2016**