



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Monday, February 13, 2017

6:00 PM

Johnnie Arolfo Civic Center
400 West Walker Street

Council Work Session

The City Council of the City of League City, Texas, met in a work session in the Johnnie Arolfo Civic Center at 400 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**

Interim City Manager:

John Baumgartner

Assistant City Manager/Director of Finance:

Rebecca Underhill

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 Dan Becker. Mr. Becker attempted to attend by videoconference, however a two-way communication could not be established. Therefore, per the City Attorney, he is considered absent.

Absent 1 - Mr. Dan Becker

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

2. **PRESENTATION AND DISCUSSION RELATED TO THE CITY'S REGULATIONS REGARDING PROPERTY MAINTENANCE**

Mayor Hallisey, said over the last six months I have received calls and I will give you examples of them so you will understand. This City has a policy that along road right-of-ways it is the property owners' responsibility to mow our property. Now we all know that the law says the city cannot improve private property. My contention in this, if the law says the city cannot improve private property what mandates that private property owners have to improve public property. Here are some examples. At the corner of Texas Avenue and Beaumont, on the northwest corner is a storage building. The owner called me and said several years back the city asked for additional right-of-way to expand Texas Avenue. The City now owns the property but has not done anything with it. For years the city maintained the property but all of a sudden ceased mowing the property. They received a letter from code enforcement stating it is their responsibility to mow the property or they will receive a \$250 fine. Another example is the property at the corner of Walker Street and Kansas. The city sent letters to the property owner stating that if he did not mow the property he would be subject to a \$250 fine and potentially a lien on his property. I talked with Mr. Baumgartner about both of these and the question is why are we arbitrarily trying to get the public to mow our property when we won't do the same for them. The best I understand this is there was a policy put in place over the last few years. But where there are situations where people can't physically get into these ditches or do not own a slope mower to maintain these areas, do we have any provisions to deal with that. Mr. Baumgartner and Mr. Menzies have looked into these situations and will offer some resolve for them tonight.

Mr. Menzies, Director of Planning/Development said I have provided you a summary of information that staff prepared for you this evening and it is based on the 14 pages of research that I have here. I took what our code says on the matter and compared it to 14 other cities in the state. These are the same cities that you took a look at a couple of weeks ago with regards to shipping containers. We used the same high growth, suburban Texas communities and then some of our neighbors. At the top you will see the current code on the matter, Section 54-33(b) says you have to keep your property maintained to a height of 12 inches or less. The second piece of that is you also have to maintain all the way out to the street. That could mean the curb, and the ditch in the more rural sections. So we compared what we require to that of these other cities and it is pretty much the same. The height is 12 inches or less but without question all of them also required the property owners to maintain out to the curb or street. Then we also looked at what are the exceptions that those cities possibly had in their regulations. The ones similar to us have few or no exceptions. Some of them have agricultural exemptions, ours is built into the ordinance as opposed to an exception. There are some exceptions for wildflowers in the spring time, we haven't enforced anything on wildflowers.

I want to direct your attention to the City of Galveston provision, which I think will get into what the Mayor was intending with this. If the City Manager determines that mowing the right-of-way, not the private property, would be a safety hazard to the owner whether out of personal issues or just physical aspect of the property itself, then he could direct the city to mow. Code Enforcement tells me that we probably have 85%-90% compliance city wide. There may be about a dozen hardship cases that we will see within a year. The ordinance does not currently provide us a lot of latitude. Staff's position is that we could bring back a possible ordinance amendment that could do something similar to what Galveston does and give the City Manager some authority.

Mr. Baumgartner, City Manager said to add onto what Mr. Menzies presented and maybe give some specific examples, a good one is on Kansas Avenue from 4th Street north to the Animal Shelter. That ditch is every bit of 6-7-foot deep and the city mows that area. Another example is Galveston Street in front of the Post Office. There is a couple of examples where there is not an HOA, such as Texas Avenue just north of Walker Street where the subdivisions have backed up to Texas Avenue. There is no gate access, there is no thru access for those property owners. We don't make someone who is 3-4 lots down come back around and mow that ditch. We have mowed that section for the last several years. From an equity standpoint if you think about Leisure Lane, for example, where Victory Lakes backs up to it, that HOA is between the back of Victory Lakes and Leisure Lane. So it is easy to go with black and white ordinances. Obviously when you create shades of grey where the City Manager makes a determination if it is a safety hazard or some other reason it would validate some of the things that we are currently doing from a reasonable standpoint.

3. **DISCUSSION REGARDING THE CITY COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE**

The City Council was provided a draft version of the policy for discussion.

See New Business Item 12A on the February 14, 2017 agenda for council action.

4. **PRESENTATION AND DISCUSSION REGARDING CONTRIBUTIONS TO THE FIREFIGHTER PENSION FUND**

Gary Warren, Fire Chief, said there has been a Fire Fighter Pension Fund for years. There is a board that tries to maintain the Pension Fund to make sure that all of the members are properly added or removed. If they are on the list there is a pension fund that builds for them. It is one of the things that we do to show our volunteers that we appreciate them and give them motivation for being a part of the Fire Department.

It is also a good recruiting tool. We have had some new members join who are energetic and have cleaned up the membership roster and made sure the proper names are listed. In addition, realizing that this is a good recruiting tool they want to look at increasing the contributions to the firefighter's fund and are specific about what those contributions should be. At this time the City contributes \$86 per month per firefighter, which is paid quarterly. For the 80 members who are on the roster now that quarterly payment is \$20,640, totaling \$82,560 annually. We budget \$125,000 annually to meet any increase in the members. They have looked at other fire departments and found that they have increased their contributions over the years. At the current benefit, when a member retires at age 55 and has contributed 10 years they will receive \$258/month; at 15 years the payment is \$516/month; at 20 years the payment is \$697; and at 25 years the payment is \$942/month. Some other good perks that come with this is On-Duty Disability Benefit at \$600/month; On-Duty Death Benefit at \$60,000; and Off-Duty Death Benefit at \$15,480.

What they are asking for is an immediate increase to \$120 per month per firefighter. That would increase the payments to \$28,800 for 80 members per quarter, totaling \$115,200 annually. We are hoping to increase our recruits with an increase in benefits. That is a \$27,652 increase for 2017. With the proposed benefit increase, when a member retires at age 55 with 10 years they would receive \$360/month; at 15 years \$720/month; at 20 years \$973; and at 25 years \$1,314/month. The On-Duty Disability Benefit would increase to \$750/month but the On-Duty Death Benefit would remain the same at \$60,000. The Off-Duty Death Benefit would increase to \$21,600.

In addition, they are asking for annual increases of \$12 per year for the next 5 years bringing the contribution up to \$180 per month per firefighter. The quarterly payment for the additional increase would be \$43,200 for 80 members, totally \$172,800 annually. The benefits then are increased quite a bit. When a member retires at age 55 with 10 years they would receive \$540/month; at 15 years \$1,080; at 20 years \$1,459; and at 25 years \$1,971/month. The On-Duty Disability Benefit would increase to \$1,000/month; On-Duty Death Benefit would remain the same at \$60,000; and Off-Duty Death Benefit would increase to \$32,400.

The requirements to stay in good standing so that you don't get suspended is you have to make a minimum of 120 calls within a year, and you have to attend 12 trainings in a year. There are trainings every Tuesday. Lists of comparable cities both on the high and low side have been provided. To give you some additional background, the League City Volunteer Department is a very good Fire Department and probably one of the best in the nation for being all volunteer. They are very proud of that fact. When looking at their biggest competitor as far as the best volunteer fire department, the City of Pasadena has a rate at \$132. They know they are better and it influenced them to be in the same category.

5. CONDUCT A WORK SESSION OF THE CITY COUNCIL TO RECEIVE INFORMATION CONCERNING AGENDA ITEMS APPEARING ON THE MEETING AGENDA FOR THE FEBRUARY 14, 2017 MEETING OF THE CITY COUNCIL OF THE CITY OF LEAGUE CITY.

NO VOTE OR ACTION WILL BE TAKEN ON ANY ITEM UNDER CONSIDERATION

6. ADJOURNMENT

At 8:16 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: March 14, 2017