



City of League City, TX

300 West Walker
League City TX 77573

Meeting Minutes City Council

Tuesday, March 13, 2018

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

Bo Bass

Assistant City Manager

Michael Kramm

City Attorney:

Nghiem Doan

City Secretary:

Diana M. Stapp

Interim Chief of Police:

Gary Ratliff

Director of Budget/Project Management

Angie Steelman

Director of Engineering:

Christopher Sims

Director of Finance:

Allena Portis

Director of Human Resources/Civil Service:

Janet Shirley

Director of Parks & Cultural Services:

Chien Wei

Director of Planning/Development:

David Hoover

Director of Public Works:

Jody Hooks

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 Mayor Pro Tem Kinsey. Council Member Dugie and Council Member Long attended by videoconference call.

Absent 1 - Mr. Todd Kinsey

Present 7 - Mayor Pat Hallisey, Mr. Dan Becker, Mr. Hank Dugie, Mr. Larry Millican, Mr. Greg Gripon, 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 Shiva Tirandaz of Baha'i Faith Community. Mayor Hallisey led in the pledges of allegiance to the flags.

3. **APPROVAL OF MINUTES**

3A. **18-0122** February 13, 2018 Regular Meeting

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

4. **PROCLAMATIONS, PRESENTATIONS, AWARDS, AND COMMUNITY SPOTLIGHT**

5. **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
Cory Beyer	2203 Highstone Ct.	Appt. of Chief of Police
Athena Contreras	2897 Tuscania Ln.	League Park Fence
Michelle Hatmaker	1413 Kinston	Candidate
Brenda Cuty	3221 Flower Reef Cir.	LC Animal Shelter
Monica Millican	934 Plantation	LC Animal Shelter
Sandra Kelly	2117 Eastlands	Trees

6. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 6A. [18-0118](#) Hold a public hearing on a request to rezone approximately 1.192 acres, MAP-18-0007 (Landscape Art), legally described as Lot 1, Lots 5-7 and Lots 11-12, Block 23 and Lots 5-6, Block 53, Dickinson Townsite, from "RSF-5" (Single-Family Residential with a minimum lot size of 5,000 square feet) to "CG" (General Commercial), generally located along the east side of Dickinson Avenue, between FM 646 and League City Parkway (SH 96) (Director of Planning & Development)

Mayor Hallisey opened the public hearing at 6:21 p.m.

No one signed up to speak

Mayor Hallisey closed the public hearing at 6:22 p.m.

- 6B. [18-0119](#) Consider and take action on an ordinance amending Ordinance No. 2005-24, to rezone approximately 1.192 acres, MAP-18-0007 (Landscape Art), legally described as Lot 1, Lots 5-7 and Lots 11-12, Block 23 and Lots 5-6, Block 53, Dickinson Townsite, from "RSF-5" (Single-Family Residential with a minimum lot size of 5,000 square feet) to "CG" (General Commercial), generally located along the east side of Dickinson Avenue, between FM 646 and League City Parkway (SH 96) (Director of Planning & Development)

Planning and Zoning Commission recommended approval, 6-0-0 with 2 absent, on February 19, 2018.

A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve Ordinance No. 2018-08 amending Ordinance No. 2005-24 to rezone approximately 1.192 acres (MAP-18-0007, Landscape Art), legally describes as Lot 1, Lots 5-7 and Lots 11-12, Block 23 and Lots 5-6, Block 53, Dickinson Townsite, from "RSF-5" to "CG". The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

7. COMMENTS/REPORTS FROM MEMBERS OF COUNCIL

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

Larry Millican said I would like to thank everybody for coming and everybody on Channel 16 for attending the meeting. I have to apologize for not wearing my coat and tie tonight, but I can't get it on. I can't move my arm enough to get my tie tied, and I can't get a jacket over my brace so you've just got me with my shirt tonight. I just got through attending a TML conference last week. It was a great conference, picked up a lot of great things and knowledge from the conference to help move League City forward. I also will be sharing some of that information with staff and other Council folks. I'd also like to make a note about some important meetings coming up in the very near future that I'd like to see participation in from the citizens. The first item is that Mayor Hallisey is back in the groove of things and he's going to have his first coffee on Saturday morning. It's a wonderful time that you can meet the Mayor and Council people that attend and talk about subjects that are relevant to you or you'd like to have investigated or whatever the case may be. It's a great time to interact with the Council. It's about two hours, it starts at 9:00 at South Shore Harbour. It'd be a great opportunity to just talk about your city. The next thing is that John Baumgartner, our City Manager has a Town Hall meeting scheduled for next week, next Tuesday the 20th at Creekside Intermediate. It's going to be at 6:00 p.m. that evening and he'll have all his leadership staff there along with Council who attends. Most of the time they're very productive, as far as, answering any questions that people may have and interact with the City staff to know what's going on. It's just a wonderful opportunity that John does periodically, three of these, John? Three of them are scheduled for the year so this is one of those that he has scheduled. Then next week also, we've got our first meeting with the engineering studies for the flood disaster that we experienced during Harvey. We'll be meeting with the Bay Ridge subdivision on Thursday the 22nd at the Civic Center from 6:00 to 8:00. It'll be a great time for everybody in that subdivision to interact with staff to make sure that they understand what the engineering study is going to reveal and have input on as far as what the City does, and a course of action to help prevent flooding in the future for that particular subdivision. Then the following week we've got another meeting scheduled for the Oaks of Clear Creek, which is a subdivision that also sustained flooding, and then we're going to be discussing that flooding of that neighborhood along with the engineering studies that we had done on the 28th at the Civic Center, and again it's from 6:00 to 8:00. I impress upon everyone in these subdivisions to come to these meetings, to be informed, to see what your City is doing and to make sure that we have your input, and what you believe should be done where we can incorporate that into the plans that we actually get done. I look forward to meeting anybody at these meetings and addressing any concerns and that's all I have tonight.

Greg Gripon said good evening, so spring has sprung. How exciting! Spring brings festivals and you know I'll be pumping it out there about League City Music Festival. Love our Lions Club. So, tomorrow at 9:00 a.m. you need to tune in to Vinyl Draught, Angie's A List and Justin will be on there and they will be sharing our lineup for this year. So make sure you tune in.

Keith Gross had no comments.

Nick Long had no comments.

Dan Becker said good evening, folks. As I'm sure that most of you are aware, the Galveston Daily News ran an article last week to report my involvement in an incident that occurred at the League City Post Office. Even though a statement was solicited from me before the story ran, the reporting was hardly fair or unbiased. So allow me to draw your attention to some of the details missing from the Galveston Daily News reporting of what happened. I'll begin by noting that the substance of the accounts given by both a person and me is actually somewhat consistent. Last Monday, I inquired of the patrons waiting in line at the post office if there was a driver of an SUV that was parked blocking a disabled gentleman's wheelchair from it being able to use his vehicle side-mounted ramp to re-enter his vehicle. After a woman identified that it was her vehicle she subsequently moved her vehicle to allow that gentleman to be able to leave. Where the accounts diverge is her claim that she was not parked in a handicapped space and her characterization of how I accosted her as a quote, verbal attack, unquote. The GDN article included a picture of this lady standing by her vehicle parked in the same space where she parked the day of the incident. The picture clearly shows that the adjacent parking space on her passenger side is not a handicapped space. The picture also clearly shows that immediately next to her driver's side there's an area of yellow crosshatched or striped pavement. Those areas are for wheelchair access and they lead to a wheelchair ramp so that someone in a wheelchair can easily access or negotiate the curb to the sidewalk in front of the post office from the parking area. Those two benchmarks clearly identify one space on the front row of parking at the post office and that space is unquestionably and clearly marked by a pole mounted sign and pavement name as a handicapped space. (Could I have you put up the first photograph, please? Could we at least for a moment put it on the screen so it's a bit more clear to the public?) Again, I just want to draw your attention, you can see the crosshatched area, you can see the way the photograph was taken and you can see this person, who I've never met before, standing behind her vehicle. (Could you put up the next photograph, please?) This is a photograph I took myself, a couple of days later. That is, and you can tell by looking at the facade of the post office, there is clearly a graphic on the pavement, there's clearly a pole-mounted sign, there's clearly painted a crosshatched area, and state statute actually does not only, doesn't allow parking in that crossed access area, there is not even any standing allowed in the area. (So could we go back to the first photograph just for a moment to compare the camera angle? And was IT able to put the photographs up side-by-side?) Okay, they weren't able to do that. So, I would invite anyone who's interested in the truth of the matter to drive by this row of handicapped spots at the post office and simply look for yourself. It's very easy to take a picture of a parked vehicle, as was done here, from an angle that shows whether that parking space is a handicapped space or not. So it is rather telling that the Galveston Daily News photographer took that picture from an angle that conceals not only the handicapped sign

at the front of the space, and the painted markings, the graphic painted on the pavement. The person lied about not being in a handicapped space and the Galveston Daily News seems complicit in furthering that obvious deception. The second disputed point is in this lady's claim that I verbally attacked her. In fact, this person became indignant when I simply pointed out to her that she had blocked a handicapped gentleman from accessing his van and that she needed to move her vehicle to allow him to access it. Any reasonable person would have been apologetic, not belligerent. At no time did I insult this person or call her names, use profane language, or obscene language toward her, or make any threats against her. Doing any of those things would fairly constitute a verbal attack and I did none of them. This incident occurred in the presence of numerous patrons of the post office and at least two Federal employees. None of those bystanders perceived my conduct to be alarming enough to prompt them to summon the police. That is because there is a huge difference between a verbal attack and a conversation where one participant's tone is clearly agreeable. My tone wasn't agreeable. If I sounded assertive during my interaction with this person, that dismay is a result of my having just witnessed the plight of a fellow confined to a wheelchair being unable to get back into his specially equipped vehicle because a driver of the adjacent vehicle had haphazardly parked her vehicle in the adjacent handicapped spot such that it encroached into the striped access aisle between her space and the gentleman's, blocking his access. But she appeared completely able-bodied, and thus would not belong in a handicapped space in the first place, only substantiating my frustration at her apparent lack of common decency and courtesy. This person has now confirmed her callous and selfishness by playing the victim and making this incident about her, when in fact, her illegal actions in the interest of her own convenience have victimized a disabled person. And yet this person cares more about objecting to the manner in which her offense was brought to her attention than the harm that she caused. Any decent human being who had unwillingly blocked a disabled person's vehicle would have been embarrassed and apologetic upon having that error pointed out. What kind of person responds by deflecting the blame toward the person who points out the offense in an effort to help his fellowman who was truly wronged? The headline in the Galveston Daily News, "Council Member Accused of Going Postal", is not only tasteless, but does a real disservice to our community. Thank you, folks.

Hank Dugie had no comments.

Mayor Hallisey said the Chamber of Commerce Leadership Class is here. If I could have each one of you stand up, turn to the crowd, tell them who you are, what company you are with. We are proud as punch that you are here. Mr. Chamber President/CEO, why don't you stand up? We're really proud of the job you are doing in helping develop the leaders of tomorrow. Thank you. Let me just clarify one thing that Mr. Millican talked about, the St. Patty's Day coffee. I'm not St. Patrick, but I am Irish. South Shore Harbour is sponsoring that, it will be up on the ninth floor, Harbourview Room. Most magnificent view of League City and NASA which you will see from a highrise in town. So come have a free cup of

coffee and get to meet some of your neighbors. We'd be happy to have you. They even have decaf there? I guess we better call over there and make sure. I got a really great note from the Clear Creek Environmental Foundation, Mike Stone is the president of that. They are the folks, for probably 10 or 15 years, have the Clear Creek Cleanup. He sent me a lot of good information that I forgot to bring with me about the tons of garbage that were left, how much of that was deposited by Hurricane Harvey as all that water came down. If there was any trash between here and Sugar Land, I'm sure it collected and we found most of it out here by Walter Hall Park. Those guys, every year, have a couple hundred people show up to clean that water way, and as most of you know that waterway connects the west side of League City to the east side of League City and we're proud of it. A lot of us learned to water ski up and down that creek in days gone by and it's important because there are still a lot of people out the fishing and water skiing and boating up and down the creek, so thank you to Clear Creek Environmental Foundation. Janice, as many of you know I had a few months away from here with an illness, but Janice made me sit down and go through all the cards that I received over about a four or five month period of time, and I'm telling you I just couldn't help but crying, there are so many wonderful people in this town who wished us both the best and speedy recovery and the City itself, and all of you. So thank you, and for all of you listening that participated in that, thank you very much. I don't mind telling you I'm happy being back here with everybody.

8. REPORTS FROM STAFF MEMBERS

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

John Baumgartner said Larry stole most of my thunder, but one more meeting next meeting is Monday, March 19, Special Council Meeting, workshop to discuss economic development. It will be at 6:00 p.m. in Council Chambers. Then on Saturday, April 7, we'll have our Strategic Planning Retreat starting at 9:00 a.m. at the Civic Center. That's still a few weeks away.

9. CONSENT AGENDA

Approval of the Consent Agenda

Item 9A was pulled by Mr. Millican.

A motion was made by Mr. Becker, seconded by Mr. Gripon, to approve Consent Agenda Items B and C. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

- 9A. [18-0123](#) Consider and take action to add the Nature Center Pond Bank Erosion project to the FY2018 Capital Improvement Plan (Director of Budget & Project Management)

A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve.

**A motion was made by Mayor Hallisey, seconded by Mr. Dugie, to postpone this agenda item.
The motion passed by the following vote:**

For: 5 - Mayor Hallisey, Mr. Dugie, Mr. Millican, Mr. Gross and Mr. Long

Opposed: 2 - Mr. Becker and Mr. Gripon

Absent: 1 - Mr. Kinsey

- 9B. [18-0139](#) Consider and take action on a resolution approving aerial spraying for the abatement of mosquitoes by the Galveston County Mosquito Control District (Director of Public Works)

Approved on the Consent Agenda - Resolution No. 2018-30

- 9C. [18-0138](#) Consider and take action to excuse absences (City Secretary)

Approved on the Consent Agenda

END OF CONSENT AGENDA

10. OLD BUSINESS

- 10A. [18-0124](#) Consider and take action on a resolution relinquishing all interest in a 1.04-acre (45,302 square feet) drainage easement situated in the John Miles Survey, Abstract 55, Galveston County, Texas, being out of a tract described in a deed recorded under Film Code No. 009-64-2701 and a track called Tract 1 in a deed recorded under Film Code No. 010-27-2341 to League City 210 Development Partners LP (Director of Engineering)

Council postponed 5-1-0 with 2 absent on February 27, 2018.

A motion was made by Mr. Millican, seconded by Mr. Gripon, to approve Resolution No. 2018-31 relinquishing all interest in a 1.04 acre drainage easement situated in the John Miles Survey, Abstract 55, Galveston County, Texas, being out of a tract described in a deed recorded under Film Code No. 009-64-2701 and a track called Tract 1 in a deed recorded under Film Code No. 010-27-2341 to League City 210 Development Partners LP. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

11. NEW BUSINESS**11A. 18-0127**

Consider and take action on a resolution authorizing the purchase of windstorm and hail property insurance from McGriff, Siebels & Williams of Texas, Inc. in an amount not to exceed \$518,963 (Director of Human Resources & Civil Service)

A motion was made by Mr. Becker, seconded by Mr. Millican, to approve Resolution No. 2018-32 authorizing the purchase of windstorm and hail property insurance from McGriff, Siebels & Williams of Texas, Inc. in an amount not to exceed \$518,963.

A motion was made by Mr. Gross, seconded by Mr. Dugie, to postpone. The motion to postpone failed by the following vote:

For: 2 - Mr. Dugie and Mr. Gross

Opposed: 5 - Mayor Hallisey, Mr. Becker, Mr. Millican, Mr. Gripon and Mr. Long

Absent: 1 - Mr. Kinsey

The motion to approve the resolution passed by the following vote:

For: 6 - Mayor Hallisey, Mr. Becker, Mr. Dugie, Mr. Millican, Mr. Gripon and Mr. Long

Opposed: 1 - Mr. Gross

Absent: 1 - Mr. Kinsey

11B. 18-0137

Consider and take action on appointments to boards and commissions (Mayor Hallisey)

ETHICS REVIEW BOARD:**Position 3. Council Position 2 Appointee: Rudy Salcedo - Term to expire 12/31/19**

A motion was made by Mr. Dugie, seconded by Mr. Millican, to approve the appointment of Rudy Salcedo. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

Position 4. Council Position 3 Appointee: Cheryl Bordwine - Term to expire 12/31/19

A motion was made by Mr. Millican, seconded by Mr. Gross, to approve the reappointment of Cheryl Bordwine. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

Position 6. Council Position 5 Appointee: David Bond - Term to expire 12/31/18

A motion was made by Mr. Gripon, seconded by Mr. Millican, to approve the reappointment of David Bond. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

Position 7. Council Position 6 Appointee: Mike Cobb - Term to expire 12/31/18

A motion was made by Mr. Gross, seconded by Mr. Gripon, to approve the reappointment of Mike Cobb. The motion passed by the following vote:

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

Absent: 1 - Mr. Kinsey

12. FIRST READING OF ORDINANCES

13. ITEMS ADDED AFTER ELECTRONIC AGENDA COMPLETED

14. EXECUTIVE(CLOSED) SESSION(S)

At 7:08 p.m. Mayor Hallisey announced the City Council will now go into executive session to discuss the following items:

- 14A. [18-0129](#)** Texas Open Meetings Act Section 551.071 Government Code - Consultation with Attorney
- Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct to the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, to-wit: legal issues related to PIDs and TIRZs (City Attorney)
- 14B. [18-0132](#)** Texas Open Meetings Act, Section 551.072 Government Code - Deliberations about real property
- Discuss potential purchase or sale of real property interests (Director of Budget & Project Management)
- Pulled by Staff**
- 14C. [18-0130](#)** Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters
- Discuss employment or appointment of a public officer or employee, to-wit: Police Chief (City Manager)

At 8:01 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.

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

- 15A. [18-0128](#)** Consider and take action regarding legal issues related to PIDs and TIRZs (City Attorney)
(City Attorney)

No Action

- 15B. [18-0133](#)** Consider and take action on discussion concerning potential purchase or sale of real property interests (Director of Budget & Project Management)

Pulled by Staff

- 15C. [18-0131](#)** Consider and take action on discussion concerning employment or appointment of a public officer or employee, to-wit: Police Chief (City Manager)

A motion was made by Mayor Hallisey, seconded by Mr. Gross, to appoint Gary Ratliff as Chief of Police. The motion passed by the following vote:

Abstained: 1 - Mr. Becker

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

Absent: 1 - Mr. Kinsey

16. ADJOURNMENT

At 8:07 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: April 24, 2018