

Minutes of City Council Regular Meeting

The City Council City of Richwood

A City Council Regular Meeting of the City Council of City of Richwood was held Monday, November 13, 2017, beginning at 6:00 PM in the Richwood City Hall, 1800 N. Brazosport Blvd. Richwood, Texas.

CALL TO ORDER

Mayor Guthrie called the meeting to order at 6:02 pm

INVOCATION

Michael Coon led the invocation.

PLEDGES OF ALLEGIANCE

Pledge of Allegiance & Texas Pledge

Mayor Guthrie led the pledges.

ROLL CALL OF COUNCIL MEMBERS

Mark Guthrie, Mayor

Lauren LaCount, Mayor Pro Tem

Frank Blanks, Council member - ABSENT

Sarah Reed, Council member - ABSENT

Chris Hardison, Council member

Mark Brown, Council member

Others present: Michael Coon – City Manager; Giani Cantu – City Secretary/Finance Director; Clif Custer – Public Works Director; Officer Kevin Munley

PROCLAMATIONS

Municipal Court Week - November 6-10, 2017

CONSENT AGENDA

Approval of Minutes of Previous Meetings

Payment of Bills

On motion by Lauren LaCount second by Chris Hardison with all present members voting “aye” the following consent agenda items were approved:

Approval of Minutes

Payment of Bills

DISCUSSION AND ACTION ITEMS

Discuss and consider a resolution authorizing the financing and purchase of a Spartan 4 door Fire Pumper Truck from Metro Fire Apparatus through HGAC Buyboard in the amount of \$375,690

On motion by Chris Hardison second by Lauren LaCount with all present members voting “aye” the resolution authorizing the financing and purchase of a Spartan 4 door Fire Pumper Truck from Metro Fire Apparatus through HGAC Buyboard in the amount of \$375,690 passed.

Discuss and consider a resolution casting votes for Board of Directors of the Brazoria County Appraisal District

Michael Coon reported the city is afforded 12 votes.

Chris Hardison stated only the current members are running.

Lauren LaCount stated that there is no option for none of the above.

On motion by Chris Hardison second by Mark Brown with all present members voting “aye” council voted to cast the following votes: the first 2 nominees receive 3 votes and the remaining nominees receive 2 votes each.

A resolution supporting adequate funding and resources be provided to federal agencies such as FEMA, HUD, Army Core of Engineers and other agencies, for the purpose of assisting with the processes of any recovery efforts related to damage caused by flooding as a result of Hurricane Harvey

Michael Coon reported staff had put together this resolution at Councils request.

On motion by Lauren LaCount second by Mark Brown with all present members voting “aye” the resolution supporting adequate funding and resources be provided to federal agencies such as FEMA, HUD, Army Core of Engineers and other agencies, for the purpose of assisting with the processes of any recovery efforts related to damage caused by flooding as a result of Hurricane Harvey was passed and adopted.

Lauren LaCount stated she wanted to correct the resolution number she referenced earlier.

A resolution supporting joint efforts with federal, state and/or local agencies, including Brazoria County, Velasco Drainage District and other surrounding agencies to assess and analyze all potential avenues of mitigation for any damage that could be caused by future flooding of the Brazos River and Bastrop Bayou

Lauren LaCount made a motion to adopt the resolution supporting joint efforts with federal, state and/or local agencies, including Brazoria County, Velasco Drainage

District and other surrounding agencies to assess and analyze all potential avenues of mitigation for any damage that could be caused by future flooding of the Brazos River and Bastrop Bayou. Chris Hardison seconded.

Mayor Guthrie asked if there was a reason for only listing the two bodies of water and not including Oyster Creek.

Mr. Coon advised staff focused on the two bodies of water that caused flooding during the event.

With all present members voting “aye” the resolution supporting joint efforts with federal, state and/or local agencies, including Brazoria County, Velasco Drainage District and other surrounding agencies to assess and analyze all potential avenues of mitigation for any damage that could be caused by future flooding of the Brazos River and Bastrop Bayou was passed and adopted.

Discuss and consider an ordinance prohibiting scavenging of property within 90 days following the termination of a declared disaster

Michael Coon reported staff drafted an ordinance at the request of council that would prohibit scavenging of property within 90 days following the termination of a declared disaster.

Mark Brown made a motion to discuss the ordinance further. Lauren LaCount seconded the motion. Discussion began.

Mark Brown stated the owner’s permission could be rather difficult to obtain and prove and asked if it made more sense to state written permission.

Mr. Coon stated the ordinance was written so that it would have to be confirmed by the officer either in person or by writing.

Mark Brown stated we just need to be sure the written allows for clear permission to take items.

Mr. Coon stated that if a citation is issued due to not being able to prove permission, the individual has the option to go to the Judge with it.

On amended motion by Mark Brown second by Lauren LaCount with all present members voting “aye” an ordinance prohibiting scavenging of property within 90 days following the termination of declared disaster was approved and adopted.

Discuss and consider an ordinance amending Section 19-51(5) Preliminary Plat Submittals of the Code of Ordinances and establishing the City Permitting and

Inspection Fee Schedule

Michael Coon advised the budget included updates to permitting fees and inspection fees and staff felt it was best to adopt the fees in ordinance format for better transparency to the residents.

Chris Hardison moved to discuss the ordinance.

Michael Coon reviewed the changes to fees.

Discussion was held on the subdivision permit fee changes and the decision to outsource all plan review on subdivisions to an engineering firm.

Lauren LaCount asked for feedback of the ordinance from Kenny Williams, Building Official.

Kenny Williams stated Richwood needed to get in line with surrounding cities and is low comparatively.

Mark Brown asked how it would affect the attractiveness of the city for developers.

Mr. Coon stated we may hear some push back from small builders and expect to hear feedback on the plan review fees. However, the cost of business is the last thing we hear from developers mostly and believes the changes do simplify the process.

Kenny Williams stated he spoke with a couple of builders and the response has been the few hundred dollars for the fees is not going to discourage. The developer will likely pass it along to the new owners.

Mayor Guthrie stated developers will look cost for cost at surrounding cities.

Lauren LaCount asked if contracting out services is going to delay builders.

Mr. Coon advised the City used the contractors previously and the turnaround has been quick. The developers have been satisfied with the turnaround time.

Mark Brown asked if there is a performance clause.

Mr. Coon advised yes and there is a timeframe clause within the agreement as well. Staff will manage if we start to receive complaints.

Kenny Williams stated that usually a house plan can be done in two days. Contractors are usually the same timeframe. However, some builders are waiting 45 days in other cities.

Chris Hardison asked if the fee changes would affect the Magnolia and Creek Bend Subdivisions.

Mr. Coon stated no, but, would affect the second phase of Creek Bend.

Mark Brown asked who reviews the drainage.

Mr. Coon reported all drainage is reviewed and approved by Velasco Drainage District.

On amended motion by Chris Hardison second by Lauren LaCount with all present members voting “aye”, the ordinance amending Section 19-51(5) Preliminary Plat Submittals of the Code of Ordinances and establishing the City Permitting and Inspection Fee Schedule was approved and adopted.

Discuss and consider changes to the City Personnel Policy Manual as it pertains to holidays for full-time police officers and employee's working an alternative work schedule

Michael Coon reported Council approved these changes at last meeting and staff was bringing on paper.

On motion by Chris Hardison second by Mark Brown with all present members voting “aye” the changes to the Personnel Policy Manual to remove Policy 602 and reflect back to 601 beginning January 1, 2018 was approved.

Update from Animal Ordinance Review committee and discussion of proposed chicken ordinance

Lynse Ellison, Chair of subcommittee, advised the group was about $\frac{3}{4}$ of the way through. They have another meeting set up and then will be finished. At the last meeting, the group specifically discussed the chicken ordinance itself. The committee decided on the following regulations: chickens only (hens specifically, no roosters), 6 chickens max, 4 square feet per bird floor space and the coop can be no higher than 8 feet and not in easements, renters must have landlords permission, permit must be issued and inspected, composting already in ordinance keep that, the coop should be inspected every 2 years to make sure it's being maintained and requirement to make sure the coop is sanitized and disinfected at least every 6 months. If any amendments need to be made for smaller lots or for any reason they can come to council to make their request. Surrounding cities are all moving towards this and the residents are wanting more organic options for food.

Discussion was held on the proposed requirement for cleaning the coop every six months, the responsible party for enforcement, and having quantifiable standards of nuisance, inspection and re-inspection clauses.

Travis Sparks stated it's not an uncommon thing or unmanageable to allow chickens. The number of actual interested residents will be few and surrounding cities have already adopted ordinances allowing chickens.

Chris Hardison stated a standard must be set to go across the board. The same scrutiny will be given on all ordinances, it just happens to be chickens tonight.

Discussion was held on if chickens can spread disease, if there is any kind of vaccination such as rabies and what the chickens are typically used for.

Discussion was held on the bill that was presented to the Senate by Betancourt.

Council addressed the enforcement aspect of the current ordinance and stated they want to ensure the updates allow for enforceability.

Further discussion was held on the quantifiable enforcement values of a smell nuisance.

Ms. Ellison stated the committee could suggest and create a checklist to address the cleanliness of a coop such as unclean if the feces is a ¼ of inch deep or greater.

The mayor stated he wanted this change to the animal ordinance to allow chickens to be discussed in public hearing.

Council suggested the committee consider a standard checklist that would be easily enforceable, and to consider the opinion of the person that doesn't want the chicken.

Public hearings were proposed for December 11 and January 8.

Review of the solid waste collection contract and suggestions for future waste collection services offered

Michael Coon gave a brief overview of the contract.

Mark Brown asked who determines whether they did their job sufficiently and how is that measured.

Lauren LaCount stated that previously the provider picked up sheetrock and now the current collector is not picking that up because it is considered construction debris.

Further discussion was held on the solid waste collection contract.

No action was taken.

Review of home based business ordinance

Discussion was held on the current city ordinance, surrounding city's ordinances and suggestions of changes to ordinance.

Lauren LaCount and Mark Brown volunteered to be subcommittee and review the ordinance.

Review of residential lighting ordinance

Discussion was held on the current city ordinance.

Chief Corb made the suggestion to have staff review the ordinance and bring back something based on the history of the current ordinance in the last 3 years.

Lauren LaCount stated she felt as if the ordinance perimeters were set specific to a certain situation where one person who was mad at another and somehow it passed in ordinance.

Approve items removed from Consent Agenda

REPORTS

Reports that require no action.

CITY MANAGER'S REPORT

Michael Coon stated the City is hosting a meeting with Velasco Drainage District and Lake Jackson to review upper Bastrop Bayou mitigation project and potential updates. The Bond Task Force is meeting December 4 and making progress with great discussion. The two temporary employees provided by the workforce commission began work today. The sales tax reports show concerning trends and staff has submitted an open records to the state to verify why the difference in revenue. The County is working on the final round of debris clean up. Christmas in the Park will be Friday, December 1.

PUBLIC COMMENTS

All public comments will be subject to the following rules: All speakers will be permitted to speak no longer than 3 minutes; all speakers will only be permitted to speak once; speakers cannot defer their 3 minutes to another speaker. Discussion is not allowed on items not posted on the agenda.

There were no public comments.

FUTURE AGENDA ITEMS

There were no future agenda items.

COMMITTEE REPORTS

There were no committee reports.

COUNCIL MEMBER COMMENTS & REPORTS

There were no reports.

MAYOR'S REPORT

There was no report.

ADJOURNMENT

There being no further business the meeting adjourned at 8:04 p.m.

These minutes were read and approved on this ____ day of _____,
20____.

Attest:

Mark Guthrie, Mayor

Giani Cantu, City Secretary