

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, April 9, 2018, beginning at 6:20 PM in the Richwood City Hall, 1800 N. Brazosport Blvd. Richwood, Texas.

CALL TO ORDER

Mayor Guthrie called the meeting to order at 6:31 p.m.

INVOCATION

Michael Coon led the invocation.

PLEDGES OF ALLEGIANCE

Pledge of Allegiance & Texas Pledge

Mark Guthrie led the pledges.

ROLL CALL OF COUNCIL MEMBERS

Mayor - Mark Guthrie

Council member Position 1 – Mark Brown II

Council member Position 2 – Frank Blanks

Council member Position 3 – Sarah Reed

Council member Position 4 – Lauren LaCount

Council member Position 5 – Chris Hardison – ABSENT

Others present: Michael Coon, City Manager; Giani Cantu, City Secretary/Finance Director; Matt Allen, City Attorney; Kenny Williams, Building Official; Clif Custer, Public Works Director

RECOGNITIONS

There were no recognitions.

PROCLAMATIONS

There were no proclamations.

CONSENT AGENDA

Approval of Minutes of Previous Meetings

March 12, 2018

March 28, 2018

Payment of Bills

On motion by Sarah Reed second by Lauren LaCount with all present members voting “aye” all consent agenda items were approved.

DISCUSSION AND ACTION ITEMS

Final review and action on replat of Lots 26-5, Block 7 and Lots 1-11, Block 17 of Glenwood Bayou Subdivision. Said property being the undeveloped property located between by Wisteria Street, Oyster Creek Drive and Yaupon Street.

On motion by Lauren LaCount second by Sarah Reed with all present members voting “aye” final approval was granted contingent on approval of drainage plan by city engineer.

Discuss and Consider an ordinance amending the Comprehensive Zoning Plan and Zoning Regulations to amend Section 3 Definitions and Section 5(17) General Provisions (Home Occupations) to amend the definition of home occupations; permitted uses and prohibited home occupations

Suggestion was made to move this item to the next agenda due to recommendations by City Attorney during public hearing.

Lauren LaCount reminded council she requested feedback from residents and there was one resident who was against any kind of home business all-together.

On motion by Sarah Reed second by Lauren LaCount with all present members voting “aye” this item was postponed to the next meeting.

Discuss and consider an ordinance amending Article II – Public Park Lands by creating Section 14-1 Definitions; creating Section 14-2 Fees for Rental of Public Park Lands and amending Appendix C–Fee Schedule of the Code of Ordinances to add fees for Park and Facility Rentals

Mark Brown II asked if the security portion could be amended?

Lauren LaCount asked about the insurance requirement on bounce houses.

Ms. Cantu reported that the security wording was discussed and decided with the Police Chief. It is intended to state that the renter must have security provided by the Richwood Police Department as opposed to hiring any private individual to provide security. The insurance requirement is standard in most cities and protects the city from any liability resulting from injury while using bounce houses on city property.

Mr. Coon stated most companies already have insurance and it’s a matter of providing a certificate to the City.

Lauren LaCount asked what changes in fees are being proposed.

Ms. Cantu stated changes include increase in deposit amounts and removal of ½ day rentals.

Mayor Guthrie asked are our fees comparable to surrounding cities.

Ms. Cantu stated some are lower. However, other city facilities are nicer than ours.

Lauren LaCount asked do the fees cover costs to maintain.

There was a suggestion to increase the pavilion rental to \$125.00.

After further discussion council requested more information regarding fees for facilities in surrounding areas and potential to increase fees during holidays. This item can come back next month.

No action was taken.

Discuss and consider request for extension to comply with animal ordinance by Carol and Byron Norsworthy

Officer Jarrett Skelton reported that animal control received a complaint. The animal control officer couldn't make contact so the police department response and provided the residents with copy of ordinance to come in compliance with.

Mark Brown II asked for clarification on 6 weeks extension request.

Ms. Cantu stated the request was for 6 weeks from March 12th when the request was received.

Frank Blanks asked if the complaint was that animals were malnourished.

Lauren LaCount stated essentially the two outside dogs they would need to keep. Can we give them a variance for the two dogs?

Sarah Reed asked can we give them a variance for the time they are requesting and have them come in for permit for foster dogs?

Mayor Guthrie stated the animal ordinance was put in place for a reason. Someone complained. There was an issue.

Chief Corb stated the call was for possible animal neglect. However, investigation showed the animals are fine.

Mark Brown II stated the animals are ok, but they need to get in compliance with ordinance.

Mayor Guthrie asked so what do they need to get in compliance?

Michael Coon stated they need to get rid of the dogs or apply for a variance.

Mark Brown II asked are we going to give variance to everyone that asks for it.

Lauren LaCount moved to grant variance to the animal limit to allow the residents to keep seven dogs until the June meeting and to allow the residents to keep the two older dogs until the dogs passing. Sarah Reed seconded.

Mark Brown II asked are we overlooking the 3 dogs that are in the home.

Lauren LaCount stated the purpose is to ensure no dogs are being kicked out of homes.

Mark Brown II stated he is concerned these kinds of request will keep coming in.

Lauren LaCount stated that is what they do. They come in and ask permission for something that's not allowed in an ordinance.

Mark Brown II asked would they need to be registered.

Ms. Cantu stated yes, I believe so.

With all present members voting "aye" a variance to the animal limit to allow the residents to keep seven dogs until the June meeting and to allow the residents to keep the two older dogs until the dogs passing granted.

Discuss and consider the purchase of a new accounting, utility billing and payment software by Pelorus as approved in the FY 17-18 Adopted Budget and authorizing an amount not to exceed \$30,000

Michael Coon stated there were some additional cost to fully integrate our meter reading system and change online billing and payment and merchant provider. The changes in billing and merchant provider will result in a savings of about \$5,000 per year.

Lauren LaCount asked will it save in audit billable hours.

Michael Coon stated it is likely the reporting audit findings will drop.

Lauren LaCount asked does it have a flag issue with errors as it goes.

Michael Coon stated there is checks and balances built in to the system.

Lauren LaCount moved to approve the purchase. Sarah Reed seconded.

Mark Brown II asked what was included in pricing.

Lauren LaCount left the meeting at 7:14 p.m.

Michael Coon stated the pricing includes all utility billing conversion. Additional future cost would be needed to convert court onto the same system. The company has also suggested the possibility of developing a court administrative system for us at no cost that could be added to their program.

Lauren LaCount returned to the meeting at 7:16 p.m.

With all present members voting “aye”, approval of the purchase of a new accounting, utility billing and payment software by Pelorus as approved in the FY 17-18 Adopted Budget and authorizing an amount not to exceed \$30,000 was granted.

Update on review of Indoor Gun Range & Noise Control Ordinances

Michael Coon reported since the last Council Meeting he had conducted additional research on noise control ordinances and found the City of Mesquite, Texas has an ordinance that accounts for repetitive noises using time-weighted averages. A copy of Mesquite’s ordinance is included in the agenda packet. Section 10-72 – Environmental Sound Levels, outlines their standards for determining what levels of sound are deemed a nuisance. With some adjustments to simplify the ordinance, we may be able to adapt Mesquite’s methodology to account for repetitive noises. He reached out to the city manager there to learn more about how they have implemented the ordinance and to see if there could be any issues with us implementing it here.

Sarah Reed asked did they complete the modifications to the ducts.

Michael Coon stated he would follow up.

Mark Brown II stated he is assuming Mesquite contracted an engineer to address repetitive noise.

Michael Coon stated he would ask when he speaks with the City Manager. He just researched on line ordinances that addressed repetitive noise and found that Mesquite had one.

Mark Brown II asked have any new calls come in.

Michael Coon stated no. However, he contacted residents to let them know there was a variance granted during this process.

Mark Brown asked if any new residents moved back.

Chief Corb reported that all residents had moved back in to that area.

Mark Brown stated so there are more residents and no new complaints.

Michael Coon stated we have received no new complaints.

Lauren LaCount reported the owner did go over to one residents home to discuss the issue and listen to resident complaints.

Sarah Reed asked if staff could set up a meeting with Mesquite to see why they addressed this repetitive noise in ordinance.

Mark Brown II advised that Springtown, Texas just opened a gun range. We may check to see if they adopted a noise ordinance.

Update on Flood Mitigation Efforts

LJA will be presenting their final report this week with additional information.

The Bastrop Bayou water shed group will meet on 4/19 and the flood committee will meet on 4/17.

Approve items removed from Consent Agenda

No items were approved from consent agenda.

EXECUTIVE SESSION in accordance with Subchapter D of the Open Meetings Act, Texas Government code Section 551.001, et. Seq., to review and consider the following:

Under authority of Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Michael Coon, City Manager

Under authority of Sec. 551.072. to deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District

Mayor Guthrie called for closed session at 7:26 pm.

RECONVENE FROM EXECUTIVE SESSION and take action on the following:

Mayor Guthrie reconvened to open session at 8:43 pm.

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee: Michael Coon, City Manager

No actions were taken.

To deliberate the purchase, exchange, lease, or value of real property: Property located along the Magnolia Lane right of way in Glenwood Subdivision also identified as property 211913 by the Brazoria County Appraisal District

No actions were taken.

REPORTS

Reports that require no action.

Review of budget expenditures

CITY MANAGER'S REPORT

There was no further report.

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

Discuss flood gate options

Review of compensation study

COUNCIL MEMBER COMMENTS & REPORTS

Frank Blanks thanked PD for their efforts in a theft case he filed. After a contract job his wedding ring came up missing. The PD was able to recover it in one day.

Sarah Reed thanked PD and utility workers for being out and present for the City.

MAYOR'S REPORT

There was no further report.

ADJOURNMENT

There being no further business meeting adjourned at 8:49 pm.

These minutes were read and approved on this 14th day of May, 2018.

Attest:

Mark Guthrie, Mayor

Giani Cantu, City Secretary