

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
REGULAR CITY COUNCIL MEETING  
THURSDAY AUGUST 18, 2016  
7:00 P.M.**

**CALL TO ORDER**

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in regular session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul A. Horn; Mayor Pro-tem Gabe Adame; Council members: Adam Arendell, Chris Sanger, Glenn Starkey, Keith Thompson, and Brad Richards.

Staff members present: Sereniah Breland, City Manager; David Olson, Olson and Olson, LLP; Junru Roland, CFO/Assistant City Manager; Dixie Roberts, City Clerk; Dan Kelinske, Director of Parks and Recreation; Robert Lee, Police Chief; Dan Kelinske, Parks Director; Ron Schmitz, Director of EMS and Emergency Management; Michelle Segovia, City Engineer and Brian Smith, Public Services Director.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Police Department Chaplain Regina Stredic gave the invocation.

Council member Sanger led the Pledge of Allegiance to the American Flag.

Council member Thompson led the Pledge to the Texas Flag.

**PUBLIC COMMENT**

Alvin Resident Eugene Bauer, appeared before City Council to discuss an incident that happened at his residence regarding the Police Department.

Johanna McWilliams, CEO of Alvin Manvel Chamber of Commerce spoke before City Council to address the potential selling of the property located at the corner of Hardie St. and Willis St.

**PRESENTATIONS**

Proclamation; National Payroll Week; September 4-10, 2016.

Mayor Horn presented the Finance Department with a proclamation declaring September 4-10, 2016 as National Payroll Week.

Proclamation; Harby Junior High Sea CRAB Robotics Camp Winners.

Mayor Horn presented the Harby Junior High Sea CRAB's Robotics Camp Winners with a proclamation in honor of their accomplishments.

Operation Finally Home Presentation.

Terri Collins representing Operation Finally Home presented information regarding the organization and their plans to build a house for a wounded veteran in Alvin. Mr. Collins asked for the City's support and stated that the organization will be seeking a waiver from City Council for the construction permit fees associated with this construction at 1995 Brentwood Drive in Alvin.

Alvin Historical Museum Update; Tom Stansel

Ms. Kathy Mattes, President of the Alvin Museum Society reviewed the history of the Alvin Museum Society and the various exhibits within the museum. She reported that the museum is running out of room and contemplating the expansion of the loading dock portion of the building.

Ms. Mattes requested the city's financial support to aid in the enclosure of the existing loading dock and retrofit the existing workspace to provide additional exhibit space. To date the Alvin Museum Society has spent \$9,147.50 on the drawings for this project. The total project cost is an estimated \$87,646.00.

EMS/Emergency Management Departmental Update.

Ron Schmitz, EMS/Emergency Management Director gave a brief departmental update.

**PUBLIC HEARINGS**

Public Hearing to receive comment on the Proposed Fiscal Year 16-17 Annual Budget. This proposed budget is estimated to raise more total property taxes than last year's budget by \$938,042 or 14.12% and of that amount \$394,728 is tax revenue to be raised from new property added to the tax roll this year.

Mr. Roland reviewed a few tax rate questions and answers before the opening of the public hearings.

Question #1. Is the city increasing the property tax rate? No. The City is proposing to lower the tax rate from \$0.8386 to \$0.7980 per \$100 of taxable assessed value.

Question #2. If the City Council adopts the proposed tax rate of \$0.7980 will it result in me paying higher taxes than the prior year? It depends on the taxable assessed value of your property from the Brazoria County Appraisal District.

You will pay less property taxes for Tax Year 2016 if:

The taxable assessed value of your property is the same as the prior year's taxable assessed value.

The taxable assessed value of your property is less than the prior year's taxable assessed value, or the taxable assessed value of your property increased by less than 5.0877%.

You will pay more property taxes for Tax Year 2016 if:

The taxable assessed value of your property increased by more than 5.0877%, or you have a significant amount of new property added to the tax roll.

Question #3. What is the "effective tax rate", and what does it have to do with the amount of taxes I will pay?

The 2016 "effective tax rate" is \$0.771576 per \$100 of taxable assessed value.

The "effective tax rate" is defined as the rate that will generate the same amount of property tax revenue as the prior year; applies only to properties on the tax roll for Tax Year 2015 and Tax Year 2016.

The "effective tax rate" enables the public to evaluate the relationship between city property taxes for the preceding year and for the current year.

The "effective tax rate" is used in conjunction with the aggregate total of all taxable assessed property values in the City; and not individual taxable properties. As a result, adopting the effective tax rate does not guarantee lower payment of taxes for every tax payer.

Mayor Horn opened the public hearing at 7:56 p.m.

Dick Tyson spoke before City Council regarding the proposed budget, costs and expenditures.

Chris Sanger stated that he voted against exceeding the effective tax rate to prove a point. There is a problem with property owners tax bill going up because the County is setting property values higher than what they actually are, creating an artificial value. He believes that the city can do a better job of budgeting more efficiently and believes that more cuts can be made to the budget through the renegotiation of contracts. Mr. Sanger stated that currently the city has an excess revenue of approximately \$100,000. The Parks expenditures are well above the norm at 10% of the budget. Mr. Sanger proposed the following in order to lower the tax rate:

- using the \$100,000 in excess revenues
- liquidating vacant city owned property and assets including the gun range property (this money could be used for various projects such as the Senior Center upgrade).
- removing the \$46,000 payment to the Sunrise Rotary for the annual Music Festival. (Against the use of tax payer money for such events; if allowed, dollars should be dispersed equally).
- removing the \$33,000 payment to the Museum Society (the museum should pay their fair share of the lease and do a better job of fundraiser to cover costs).
- renegotiate mowing contracts for better rates.
- reduce the burden of red-tape for remodeling and reinvesting in the older neighborhoods. Encourage homeowners to remodel and reinvest making it easier to build an addition or accessory; providing for more long term revenues.

He asked members of Council to take the points presented under consideration.

Mayor Horn closed the public hearing at 8:10 p.m.

Public Hearing to receive comment on the proposed tax rate of \$0.7980 per \$100 of valuation for Fiscal Year 2016-2017 (2016 tax year).

Mayor Horn opened the public hearing at 8:11 p.m.

Dick Tyson spoke before City Council regarding the proposed tax rate.

Mayor Horn closed the public hearing at 8:15 p.m.

### CONSENT AGENDA

Approve minutes of the August 4, 2016 City Council workshop.

Approve minutes of the August 4, 2016 City Council meeting.

Consider Interlocal Agreement with Brazoria County for the Fiscal Year 2016-2017 Asphalt Improvement Project; and authorize the Mayor to sign.

*The proposed Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance and/or repair of two miles of asphalt streets in various locations within the city limits of Alvin. The City of Alvin entered into this partnership with Brazoria County in 1991 and has continued to use the program since that time. This program provides for low cost paving and rehabilitation of asphalt streets and has improved over 30 miles of asphalt streets since the start in 1991. In the last four years the program has achieved the rehabilitation and paving of 49,235 linear feet of asphalt or 9.33 miles, averaging 2.3325 miles per year.*

*Streets Completed: Nelson Rd., Jephson Lane, Fairway Drive, Rowan Burton, House Street, CR 160, CR 172, Rice Street, Ave. K, Texas, W. Iwo Street, Heights Road, Phillips Street, Victory Lane, South Street, Verhalen Road, Ave E ½,*

*Betsy Ross, Blackstone Street, Coke Lane, Fairway Drive, Hillje Street, McLemore Drive, Meyer Street, South Shirley Street, South Third Street, West Duncan Street, and West George.*

*Should city council authorize this agreement, staff will make recommendations of streets to be serviced using the Asphalt Street Assessment. This agreement has already been approved and signed by the Brazoria County Judge, L.M. "Matt" Sebesta.*

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

### OTHER BUSINESS

Consider Ordinance 16-U; amending Chapter 34, Public Storage Facilities/Mini-Warehouses, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending provisions for existing public storage facilities to expand with certain restrictions; providing for a penalty; and setting forth other provisions related thereto.

*On May 19, 2016 Staff met with representatives of Tri-County Storage located at 2228 FM 528. The owner of the facility is wishing to add a storage unit building on a vacant area of his property located in the middle of the complex. This is the third time that Staff has met to discuss expansion of this facility since Chapter 34 Public Storage / Mini-warehouses went into effect in May 2005. All three requests for expansion of this facility have been denied since the expansion does not meet all requirements of Chapter 34, with Section 34-3 Location Restrictions being the primary restriction that could not be met. In an effort to promote additional development of existing public storage facilities Staff has prepared and is recommending the amendments to Chapter 34 as contained in Ordinance 16-U attached. The amendments exclude existing public storage facilities from having to comply with the following sections of Chapter 34:*

- 1. Section 34-2 Lot requirements- Minimum site area for a facility is 5 acres and the maximum area is 10 acres. This amendment would exempt existing facilities from this requirement. The Tri-County Storage facility is just under 5 acres.*
- 2. Section 34-3 Location restrictions- Prohibits public storage facilities from being located within 500 feet of a single-family residential property. This amendment would exempt existing facilities from this requirement. There are single-family residential properties adjacent to and across the street from Tri-County Storage.*
- 3. Section 34-5 Setback requirements- The minimum front setback line for a public storage facility, including the fence line, is 50 feet. This amendment would exempt existing facilities wishing to expand from the 50' front setback requirement. By default, these facilities would be required to comply with a front building setback of 25 feet as required in Subdivision Ordinance. Tri-County Storage has an existing fence on the front property line and a 50' building setback could not be maintained and still have adequate room to build under the current requirement.*

*Approval of Ordinance 16-U would allow for the expansion of Tri-County Storage within its existing property boundaries without negatively impacting neighboring properties or negatively effecting the original intent of Chapter 34.*

Council member Adame moved to approve Ordinance 16-U; amending Chapter 34, Public Storage Facilities/Mini-Warehouses, of the Code of Ordinances, City of Alvin, Texas, for the purpose of amending provisions for existing public storage facilities to expand with certain restrictions; providing for a penalty; and setting forth other provisions related thereto. Seconded by Council member Starkey; motion carried on a vote of 6 Ayes.

Consider Ordinance 16-J; amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, Texas for the purpose of revising certain Alvin Convention and Visitors Bureau rental fees for the Alvin Depot Centre; Emergency Medical Services fees; Senior Citizen Center rental fees; Streets and Rights-of-Way driveway and culvert permit fees; water and sewer fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for publication; providing for an effective date; and setting forth other provisions related thereto.

*On Thursday, July 21, 2016, a city council workshop was held where staff presented proposed fee changes to various departments. The main purpose of the proposed fee changes is to recover cost of providing services as well as to put the City in line with industry standards. August 4, 2016, the proposed fee changes were discussed again at the*

City Council meeting. Staff has amended the proposal slightly from the data submitted to Council at their meeting held on August 4, 2016, pursuant to Council's discussion and recommendations.

**Depot Centre**

Description	Current Fee Ordinance	Proposed	Purpose
Refundable Rental Deposit	\$300	\$150	Encourage rental of facility
Rental Fee (Mon – Thursday); additional hour	\$40	\$75	Cost recovery/ Industry Standard
Rental Fee (Friday – Sunday); additional hour	\$50	\$75	Cost recovery/Industry Standard
Hourly Rental (one-hour minimum)	\$0	\$100	Recover cost incurred from renters who need the depot on an hourly basis

**Emergency Medical Services**

Description	Current Fee Ordinance	Proposed	Purpose
Monthly Voluntary Contribution to Residents	\$5	\$7	Recover cost of providing services, and provides benefit to customer
Annual Voluntary Contribution – Non Residents	\$120	\$168	Recover cost of providing services, and provides benefit to customer
Monthly Voluntary Contribution for Commercial Business	\$5	\$10	Recover cost of providing services, and provides benefit to customer

**Utilities**

Description	Current Fee Ordinance	Proposed	Purpose
Temporary Service	\$15	\$25	Cost Recovery / Industry Standard
Fire Hydrant meter refundable deposit	\$500	\$1,400	Secure resources for potential damages / Industry Standard
Monthly Fire Hydrant Rental fee	\$20	\$100	Recover cost of providing services and encourage tap placement if needed
Fire Hydrant Handling Fee	\$50	\$100	Cost Recovery /Industry Standard
Service restoration outside normal business hours.	\$40	\$75	Cost Recovery / Industry Standard
Tampering Fee	\$0	\$100	Cost Recovery / Industry Standard
Meter Removal	\$0	\$100	Cost Recovery / Industry Standard
Returned Check Fee	\$25	\$35	Discourage NSF payments /Recover cost to staff for additional work associated with the NSF.
Meter reread request (if initial read is accurate)	\$0	\$25	Cost Recovery/Industry Standard
Driveway and Culvert Permit	\$12/foot of pipe	\$75	Shift responsibility to the customer

**Senior Citizen Center**

Description	Current Fee Ordinance	Proposed	Purpose
Eastside Exercise Room: Business Hours, Resident Group	\$0	\$40/hour	Recover costs of utilizing facility
Eastside Exercise Room Business Hours, Non Resident Group	\$0	\$50/hour	Recover costs of utilizing facility
Eastside Exercise Room: After Business Hours, Resident Group	\$0	\$50/hour	Recover costs of utilizing facility
Eastside Exercise Room: After Business Hours, Non Resident Group	\$0	\$60/hour	Recover costs of utilizing facility after business hours
Rental of East & West Rooms Refundable Deposit, Clean-up Damage Deposit (\$100 per room)	\$150	\$200	Secure resources for potential cleanup and damage to facility.
Rental for Non-Profit Organization/501c-3	\$0	\$45/hour per room anytime	Cost Recovery / Industry Standard

Short discussion was had on the rates presented.

Council member Sanger moved to approve Ordinance 16-J (as presented); amending Chapter 28, Comprehensive Fee Ordinance of the Code of Ordinances of the City of Alvin, Texas for the purpose of revising certain Alvin Convention and Visitors Bureau rental fees for the Alvin Depot Centre; Emergency Medical Services fees; Senior Citizen Center rental fees; Streets and Rights-of-Way driveway and culvert permit fees; water and sewer fees for residential and commercial customers; providing for a ten percent (10%) penalty for late payment; providing for publication; providing for an effective date; and setting forth other provisions related thereto. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

Accept resignation from 2016 Charter Review Commission member Brenda Smith and consider appointment to fill the unexpired term.

*The Alvin Charter requires a review of its Charter document at least every four (4) years but not more than every two (2) years. The review is done by a charter review commission consisting of seven (7) citizens of the city of Alvin and appointed by the city council. The only requirement to serve on the commission is to be a citizen of the City of Alvin.*

*On June 16, 2016 City Council appointed the following citizens to serve on the Charter Review Commission: Jimmy Kitchens (Vice Chair), Chad Gornly (Chair) Marisol Jimenez, Jimmy Kitchens, Brenda Smith, Kerry Ulm and Martin Vela (Secretary). All members who were appointed had a Consent Form on file.*

*The commission held its first meeting on Monday July 18, 2016 at 6:00 p.m. All members were present.*

*Brenda Smith contacted the City Clerk's office on Tuesday August 2, 2016 to regretfully resign from the Commission.*

*The following individuals have submitted a Consent and Willingness to Serve Form specifically for the Charter Review Commission and were not appointed by City Council on June 16<sup>th</sup>: Terry Droege, Missy Jordan, Debra McDonald, Tommy Peebles, and Roger Stuksa.*

Council member Sanger moved to nominate Armando Cespedes to the Charter Review Commission; Seconded by Council member Thompson. Motion failed with 4 No's and Council members Thompson and Sanger voting Aye.

Council member Starkey moved to accept the resignation from the 2016 Charter Review Commission member Brenda Smith and appoint Roger Stuksa to fill the unexpired term. Seconded by Council member Richards; motion carried on a vote of 6 ayes.

**REPORTS FROM CITY MANAGER**

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the September 1, 2016 City Council meeting.

Items of Community Interest.

Mrs. Roberts reviewed items of community interest.

**REPORTS FROM COUNCIL MEMBERS**

Announcements and requests from Council members.

Council member Thompson expressed his condolences to the families of Mary Dearing and Janie Padilla for their loss. Council member Thompson also reported that there are many lots throughout town whose owners don't mow regularly. He stated that he would like to see something put in place to help this process along without excess use of the city's workforce to enforce such mowing.

Council member Starkey expressed his condolences to Ms. Dearing and Ms. Padilla for their loss. He expressed his concerns over the comments made regarding the selling of city property.

Mayor Horn requested that a workshop be held on Tuesday, August 30<sup>th</sup> to discuss the budget and tax rate.

**EXECUTIVE SESSION**

Mayor Horn called for an executive session at 8:40 p.m. in accordance to the following:

- A. Section 551.071 of the Government Code: Consultation between governmental body and its attorney to seek advice of attorney about pending or contemplated litigation or a settlement offer or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.
- B. Section 551.072 of the Government Code: Deliberation regarding the purchase, exchange, lease or value of real property.

**RECONVENE TO OPEN SESSION**

Mayor Horn reconvened the meeting into open session at 9:45 p.m.

Consider action(s), if any, on item(s) discussed in Executive Session.

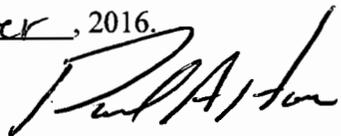
- A. Consider the sale of real property located at the corner of Hardie St. and Willis St. and authorize the Mayor to sign all necessary documents to effectuate the sale.

No action taken.

**ADJOURNMENT**

Council member Richards moved to adjourn the meeting at 9:45 p.m. Seconded by Council member Thompson; motion carried on a vote of 6 Ayes.

PASSED and APPROVED this 1 day of September, 2016.

  
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Paul A. Horn, Mayor

ATTEST:

  
\_\_\_\_\_  
Dixie Roberts, City Clerk