

MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY FEBRUARY 5, 2015
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, Terry Droege, Mayor Pro-tem, Council members: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager; Bobbi Kacz, City Attorney; and Dixie Roberts, City Clerk.

INVOCATION

Reverend Mike Mayhuges, First United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE

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

Council member Reed led the Pledge of Allegiance to the Texas Flag.

SPECIAL PRESENTATIONS

Presentation by Tom Stansel, Chief Operations Officer of the Alvin Museum Association on the Karpeles Museum.

Mr. Tom Stansel, Chief Operations Officer of the Alvin Museum Association presented City Council with the following information:

Disclaimer:

The Alvin Museum Society has no affiliation with the Karpeles Manuscript Museum, We are not empowered to speak for the Karpeles; this presentation is based on the information available.

Karpeles Manuscript Museums Background Information

Founded in 1983 by Dr. David Karpeles, a California philanthropist, with a 501C3 nonprofit designation. He has the largest private collection of manuscripts in the world. There are over one million items worth over one billion dollars. He would like to open the only Texas branch of the Karpeles Museums in Alvin. The closest museum to our area is Shreveport, La. The director for the Alvin Museum is Mr. Steve Jones. Programs are offered to all school levels, colleges, and churches in areas where his museums are located. There are 14 of his museums across the United States; exhibits rotate every 4 months. All programs and museum admissions are free. Dr. Karpeles tries to select architecturally significant buildings to house his museums; in order to save the structures.

Methodist Church Building

Dr. David Karpeles purchased the old First Methodist Church building about 3 ½ Years ago. Church was built in 1925. Members purchased 36,000 bricks at \$1.00 each to finance the building. It is one of the most architecturally interesting building still standing in Alvin.

Condition of Church when purchased

The building was full of rubbish. 17 roll off containers were filled to empty the building. The roof was leaking, stained glass windows had many panes broken out, rot in stained glass arch, mold in basement, and

rotten sections of floor. Although the building was still structurally sound, it was in a downward spiral on its way to demolition

Repair Summary:

Replaced roof, repaired stained glass windows and frames, made bathrooms handicap accessible, repaired floors and walls on main floor, corrected ceiling to show full windows, mold elimination and inspection in basement, drywall, refinished floors, painted, stained etc.

Who Benefits from the Museum:

Citizens of Alvin, Alvin Museum Society, Merchants of Alvin, children of Alvin, AISD, ACC, churches, tourism, will draw visitors from South Texas and Louisiana, many will visit 3 times a year when the exhibits rotate.

Summary:

Karpeles offers many programs that would greatly benefit the Alvin area free of charge. Karpeles has worked on the old Methodist Church building for over 3 years, and has (at least temporarily) saved the building. To bring this project to completion, Karpeles has requested: to be given a list of safety items to resolve in order to temporarily open, while continuing other required repair work. In the meantime Karpeles has put the building up for sale.

Member of the community are requesting help for the Karpeles Museum in order to keep it in Alvin. The Karpeles is unique and deserves support: they are a 501C3 charity, saved the Methodist Church building, all services are free to the community, and the benefits will last for years to come. It is being requested that \$20,000 from the Hotel/Motel Tax Fund be used in order to help defray some of the expenses still required to open the museum, and to show Dr. Karpeles that Alvin wants this museum in Alvin.

Dr. Karpeles is a California philanthropist who has spent many years collecting significant documents and currently has a collection of over 1 million original manuscripts (the largest private collection in the world). He has opened over a dozen manuscript museums around the United States where his huge collection is displayed. His museums do not charge an admission fee and he has also instituted a program of taking copies of the manuscripts to local schools as a free educational tool. Alvin has been incredibly fortunate to have Dr. Karpeles select Alvin (the only site in Texas) as a site for one of his museums. He has purchased the old Methodist Church on Johnson Street and has been restoring this historic building for over 3 years but due to rising costs and building code issues, he is considering relocating elsewhere. *It is requested that the Mayor and City Council make every effort to ensure this museum locates within the city; including making available funds from the Hotel-Motel Tax Fund.*

Discussion continued on the repairs that are needed to the building.

APPROVAL OF MINUTES

Approve minutes of the January 22, 2015 Regular City Council meeting.

Council member Arendell moved to approve the regular City Council meeting minutes of January 22, 2015. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

PETITIONS OR REQUESTS FROM THE PUBLIC

Brazoria County Commissioner Stacy Adams presented Alvin EMS with a check from Brazoria County provided through the 2015 Emergency Services District contract.

Ms. Kay York, 3005 Wood Fox Drive, spoke in favor of saving the Karpeles Museum building and would like to see this museum stay in the community.

Allison Wall with the Gulf Coast Center gave a brief presentation regarding the free smoking cessation program available to employees and community.

Joan Peebles, 408 Willow Pointe Drive, League City spoke in favor of keeping the Karpeles Museum in the city, because of the many benefits it will provide.

REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

No reports were given.

PUBLIC HEARINGS

There were no public hearings.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

- A. Consider approval of Alternate Judge Michael Merkel to attend state required educational training in Houston, Texas from March 15-17, 2015.
- B. Consider street closure request for the Alvin Sunrise Rotary 2015 Music Festival and BBQ Cook-off being held at Briscoe Park: Briscoe Drive (directly after the second parking lot entrance/exit of the YMCA) beginning 12:00 p.m. Thursday, March 26, 2015 and ending Sunday March 29, 2015 12:00 p.m.

Council member Droege moved to approve the items on the consent agenda. Seconded by Council member Arendell motion to approve carried on a vote of 7 Ayes.

MATTERS REMOVED FROM CONSENT AGENDA

There were no items removed.

OTHER BUSINESS

Presentation by city staff relating to the pending request for issuance of a temporary certificate of occupancy for the Karpeles Manuscript Library Museum at 800 W. Sidnor St.

Roy Sosa, Plans Examiner; Matt Cornell, Fire Marshal; and Mike Collins, Building Official, gave a presentation regarding the issuance of a temporary certificate of occupancy for the Karpeles Manuscript Library Museum.

The presentation detailed pictures of issues that must come into compliance in order for a temporary certificate of occupancy is issued. Pictures detailed: Handrails missing at entrance, unapproved wiring and open J box, wood covering J box, unapproved wiring and egress light not working, south exit stair door hardware issues, open south stair looking through window, west wall vent opening into ground floor, west wall brick opening into ground floor, west window boarded up and broken glass, west window broken and frame deteriorated, west wall water and gas utilities, water service needs new hose bib, vacuum breaker and insulation, west window missing glass, missing downspout eroding mortar, north wall electrical disconnect, north wall above electrical disconnect, light not attached to back box and wired with extension cord, electric meter on the north wall, electric meter, east wall improperly wired egress light, east wall improper landing at exit door, rusted lintel above exit door causing cracks in brick and brick rail above, west wall windows, exit sign without emergency lighting and battery backup, furnace, ground floor kitchen area, ground floor kitchen partition wall, ground floor kitchen wall, ground floor north wall no support, ground floor exposed electrical, south wall exit door, exposed electrical outlets, stairwell exposed electrical, storage room exposed electrical, window in the stairwell needs safety glass, non-compliant handrail and guardrail, third

floor exposed ceiling and electrical, third floor exposed ceiling, second floor ceiling exposed electrical, second floor ceiling electrical violation, third floor exposed ceiling.

The presentation listed information relating to the Fire Marshal's Letter to Mr. Karpeles dated 1/26/15 that lists the items that must be completed prior to a Temporary Certificate of Occupancy: fire alarm system, one hour enclosure of the interior egress stairs. Also in the presentation it is noted that the Building Officials letter dated 1/27 listed items that must be addressed prior to a temporary Certificate of Occupancy: updated permit application including total value of construction, detailed construction documents in compliance with the 2009 International existing Building Code, complete electrical plan with load analysis, mechanical plans, licensed contractors to complete all electrical, plumbing, and mechanical work, provide a building evaluation by a registered design professional, building plans must show detail for stair compliance for all guardrails, handrails, head room heights, stair risers, as well as, stair enclosure for fire separation, plans must reflect the intended use of each area of the building, building plans must show ADA access to the building from the parking lot to the second floor entry. Must resubmit plans to architectural barriers with existing registration number.

Discussion continued.

Council members indicated that they were in support of the museum; but felt that safety of the building was of huge concern. The building in its current state is not up to code; and is a safety hazard.

Discussion was had on the ability to use the Hotel Motel Tax fund monies for this project.

Council member Droege's absence noted from 8:24 p.m. to 8:28 p.m.

Julie Siggers, Director of Alvin Visitors Bureau stated that hotel occupancy funds are governed by state law; those laws are written by the Texas Hotel Lodging Association. The purpose of the law is to make sure that funds that are being spent increase hotel activity. This project wouldn't qualify for the use of HOT funds under tourism, but more than likely would qualify under the historical preservation or restoration, if the city had this program in place. The tax law says that the Council is responsible for setting the guidelines for historical preservation/restoration within their city. Before expenditures can be spent out of the HOT funds; Council will have to set the guidelines and parameters for historical preservation/restoration within the City of Alvin.

Consider the appropriation of \$20,000.00 from the Hotel Occupancy Tax Fund to the Karpeles Museum for the purpose of promoting tourism; contingent upon completion of the museum building located at 800 W. Sidnor Street based on the City's issuance of a Certificate of Occupancy.

Mayor Horn requests council's consideration to authorize and appropriate funds from the Hotel Occupancy Tax Fund to the Karpeles Museum for the purpose of promoting tourism in the City of Alvin according to Chapter 351 of the Texas Tax Code. These funds will be appropriated and released to Karpeles Museum only after the Karpeles Museum has met the City's code requirements resulting in a certificate of occupancy.

Council member Arendell moved to approve the appropriation of \$20,000.00 to the Karpeles Museum from the Hotel Motel Tax Fund after the Karpeles Museum has met the City's code requirements, and receipt of a City issued certificate of occupancy. Seconded by Council member Reed; motion to approve carried on a vote of 7 Ayes.

Consider the Agreement with Brazoria County for funding through the Brazoria County Community Development Block Grant (CDBG) Program in the amount of \$273,000.00 for park improvements; and authorize the Mayor to sign.

*City of Alvin will receive CDBG funds totaling \$235,000, in addition Commissioner Stacey Adams allocated an additional \$26,000 and Judge Joe King allocated \$12,000 making the total CDBG contribution \$273,000. 100% of the funds will be directed to park improvements in the following parks: **Ruben Adame** - \$41,000 - new picnic tables, playground equipment, and b-ball court. **National Oak Park** - \$155,000 - design/build freestanding restroom; **Prairie Dog Park** - \$15,000 - new playground equipment; **Talmadge Park** - \$20,000 - new picnic tables & picnic pavilion; **Sealy Park** - \$6,000 - new drinking fountain with doggie bowl attachment; **Pearson Park** - \$36,000 - new drinking fountain & playground equipment; *\$4,548.19 has already been spent on grant administration costs.*

Dan Kelinske presented this information before Council.

Mayor Horn acknowledged and thanked Brazoria County Commissioner Adams and the Commissioners Court for their assistance in securing this funding.

Commissioner Adams thanked the city for their cooperation.

Council member Reed moved to approve the agreement with Brazoria County for funding through the Brazoria County Community Development Block Grant (CDBG) Program in the amount of \$273,000.00 for park improvements; and authorize the Mayor to sign. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Hear concerns from Mr. Chris Hartman regarding the parking of 18 wheelers on the property located at 1900 Rosharon Road.

Chris Hartman, 1995 Troon, expressed his concerns before City Council in relation to the parking of 18 wheelers at 1900 Rosharon Road. He stated that the said location was an approximate 15 to 20 acres, with a few heads of grazing cattle. The owners currently have an agricultural exemption on this piece of property. There are vehicles and 18 wheelers going in and out of the property at all times of the day and night; an RV and junked vehicles are parked onsite. Mr. Hartman asked Council to consider the revision of Chapter 5 of the Code of Ordinances prohibiting the parking of the 18 wheelers within the pasture.

Kacey Roman, Code Compliance Supervisor stated that Code Enforcement is aware of the situation and they working to rectify the violations noted. She suggested the implementation of a hard surface parking ordinance to address the parking of the 18 wheelers onsite. Council asked that a draft revision of the ordinance be brought back for consideration.

Discuss concerns regarding code violations within the city.

Council member Thompson asked Code Enforcement to look into the appliance store located along SH35. He stated that appliances are being placed out on top of the right of way past the sidewalk.

Council member Adame stated that there appears to be a junked vehicle that has been parked on Cedar Lawn Drive for several weeks. It is hindering the ability of the street sweeper to come through and sweep debris. He also stated that there appears to be a number of high school students parking their cars along Durant Street between Stadium and Cedar Lawn in front of the duplexes. It appears that they are parking there and walking to school. Ms. Roman suggested the placement of a no parking zone in that area Monday through Friday during school hours.

Council member Richards stated that the trailer park ordinance says that all trailer parks should be paved; he noticed that there is a trailer park on Phillips Street that needs to be paved. He also

stated that along SH6 by the Public Services Facility building (on the right hand side) there is a body shop with several junked vehicles parked. There also is a business down from the animal shelter that has had an old truck parked in the parking lot for several months. He asked Code Enforcement to look into these concerns.

Council member Droege stated that there is a business along the corridor that has put up a chain link fence/gate. He asked Code Enforcement to look into this.

Consider request from Progressive Waste to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street / Hicklin Street to the south, including the cul-de-sacs off Owen Street.

Endeavoring to balance routes and better serve residents during normal working hours, Progressive Waste is requesting approval to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street/Hicklin Street to the south, including the cul-de-sacs off Owen Street.

Mike Wilson with Progressive Waste stated that Progressive is requesting this change because the Wednesday routes are currently overbooked. They are asking permission to transfer a portion of the Wednesday routes to the Monday route. Progressive will hang door hangers on the homes of those that will be affected by this change. They will also place notification yard signs at the entry and exit points of affected neighborhoods.

Council member Stuksa moved to approve the request from Progressive Waste to change the weekly pickup day from Wednesday to Monday for the area bounded by West House Street to the north, Davis Bend Road to the west, Callaway Drive to the east and Owen Street / Hicklin Street to the south, including the cul-de-sacs off Owen Street. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider authorizing the City Attorney to draft an Addendum to the contract with Progressive stating the change in terms of the contract for a citywide collection of unbundled items with Progressive's bulk truck for services above and beyond the current weekly collection.

The current contract with Progressive Waste provides for collection of up to 6 yards of debris per week collected via normal trash collection but requires customers to tie and bundle the material. Progressive Waste is willing to offer a citywide collection of unbundled items using their bulk truck in addition to the weekly bundled collection. There would be no additional charges or fees to the city or the residents; however, the "unbundled" collection service is provided once a year for all residents with a defined period of approximately five weeks for the entire city, generally starting the week after Spring break. Residents will be required to contact Progressive to schedule this service. In exchange for this service, Progressive Waste is requesting that the City forgo one of the semi-annual clean ups held at the College --preferably the Fall citywide cleanup.

Mike Wilson with Progressive Waste presented this request before Council.

This addendum to the contract would do away with the Fall clean-up at the college.

Council member Thompson and Council member Stuksa thanked Progressive Waste for their recent improvement of service to the citizens of Alvin.

Council member Droege's absence notated from 9:15 p.m. to 9:18 p.m.

Council member Reed moved to authorize the City Attorney to draft an Addendum to the contract with Progressive Waste stating the change in terms of the contract for a citywide collection of unbundled items with Progressive's bulk truck for services above and beyond the current weekly collection. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider a variance request submitted by Lonnie Cole requesting Council to temporarily allow two (2) residences on a single lot and waive the prohibition of two (2) single family dwellings on a single lot, parcel or tract pursuant to Sec 21-8 Offenses (A) in order to allow Mr. Cole to construct a new home on the same lot as his existing home (920 CR CR 737A; AKA Newton Drive).

On 1/12/2015, staff received a request for a variance to Sec 21-8 Offenses (A). It shall be unlawful to construct two (2) single family dwellings on a single lot, parcel or tract of land for the property located at 920 County Road 737A (AKA Newton Drive); submitted by Lonnie Cole. Mr. Cole is currently residing in the existing home at this location and wishes to construct a new home. The City's ordinance does not allow for two residential homes to exist on the same lot. Therefore, Mr. Cole is requesting this variance with the promise to demolish the existing home within 60 days after completion of his new home. A demolition permit must be obtained for the existing house before the certificate of occupancy can be issued for the new home. If approving, Council shall prescribe the conditions it deems necessary or desirable to the public interest; such as the certificate of occupancy will not be issued until the older home is demolished.

Roy Sosa, Plans Examiner presented this information before Council.

Council member Adame moved to approve the variance request with the stipulation that upon completion of the new home that a demo permit shall be obtained prior to a temporary occupancy permit being issued by the City and that demo be completed prior to issuance of the final Certificate of Occupancy. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Consider Ordinance 15-D; establishing a "No Parking" zone along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward a distance of 477 feet along Hood Street as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto; first reading.

Ordinance 15-D establishes a "No Parking" zone along the east side of Hood Street in front of the Alvin Police Department property and authorizes the posting of appropriate signage. This ordinance is being proposed due to concerns from Councilman Arendell and the Alvin Police Department.

Council member Arendell moved to approve Ordinance 15-D; establishing a "No Parking" zone along the east side of Hood Street beginning at a point 454 feet north of the north edge of South Street and extending northward a distance of 477 feet along Hood Street as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto on first reading. Seconded by Council member Stuksa; motion to approve carried on a vote of 7 Ayes.

Consider Ordinance 15-E; establishing a "No Parking" zone along the streets comprising the entrance to the Forest Heights Subdivision as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto; first reading.

Ordinance 15-E establishes a "No Parking" zone along both sides of Forest Heights Street from its intersection with Heights Road to its intersection with Barras Street / Allison Street, along both sides of Barras Street beginning at the centerline of Forest Heights Street and extending east along the centerline of Barras Street a distance of 105 feet, and along both sides of Allison Street beginning at the centerline of Forest Heights Street and extending west along the

centerline of Allison Street a distance of 110 feet. This ordinance is being proposed due to complaints from residents in the Forest Heights Subdivision. The residents stated that parents waiting to pick up their children from Hood Case Elementary frequently park along the entrance

Council member Adame moved to approve Ordinance 15-E; establishing a "No Parking" zone along the streets comprising the entrance to the Forest Heights Subdivision as depicted in Exhibit "A" attached hereto; authorizing installation of appropriate signage; providing for a penalty and publication of this ordinance; and setting forth other provisions related thereto on first reading. Seconded by Council member Arendell; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 15-R-05 supporting the proposed countywide joint elections and the implementation and use of voting centers within Brazoria County.

This resolution is being requested by the Brazoria County Clerk's office. Resolutions from municipalities within Brazoria County will be submitted along with the application to the Secretary of State's Office requesting permission to use Voting Centers on Election Day. Early Voting has been conducted in this manner for several years now. Various public hearings have been held throughout Brazoria County to inform voters of the proposed change with no opposition.

Council member Droege moved to approve Resolution 15-R-05 supporting the proposed countywide joint elections and the implementation and use of voting centers within Brazoria County. Seconded by Council member Thompson; motion to approve carried on a vote of 7 Ayes.

Consider Resolution 15-R-06 establishing the procedure for the May 9, 2015 General Election in Alvin Texas and providing for related matters thereto.

This is the resolution calling the general election and providing for the joint election. The General Election is for the purpose of electing a member from Council District B, Council District C, and At Large Position 1; for a term of three (3) years.

Council member Arendell moved to approve Resolution 15-R-06 establishing the procedure for the May 9, 2015 General Election in Alvin Texas and providing for related matters thereto. Seconded by Council member Droege; motion to approve carried on a vote of 7 Ayes.

Accept the resignation of Marilyn Thomas from the Senior Citizens Board; and consider the appointment of a new member to the Senior Citizens Board.

The only applicant on file that wishes to serve on the Seniors Board that has not been appointed is Darrell W. Brady. Darrell Brady Information: Retired a resident of Alvin for 46 years; enjoys all of the programs at the Seniors Center. Served on the Board of Directors Alvin Girls Softball, and VP of Actions. This board is comprised of seven (7) members and appointed by the mayor subject to the approval of the council by a majority vote. Vacancies on the board shall be filled according to the same procedure. Members of the senior citizens board shall be appointed for a term of two (2) years.

Council member Reed moved to accept the resignation of Marilyn Thomas from the Senior Citizens Board; and appointed Darrell Brady to serve on the Senior Citizens Board. Seconded by Council member Adame; motion to approve carried on a vote of 7 Ayes.

Update and discussion regarding the parking space orientation along the 100-200 blocks of Sealy Street.

Council member Stuksa asked for an update on the parking issue along the 100-200 blocks of Sealy Street.

Staff suggested the implementation of parallel parking in this area. Discussion was had on various ideas had for improved parking in this area.

Council member Droege moved to discuss this item in the workshop session scheduled for Tuesday, February 10, 2015. Seconded by Council member Richards; motion to approve carried on a vote of 7 Ayes.

REPORTS FROM CITY MANAGER

Review preliminary list of items for the Council meeting of February 19, 2015.

Mr. Roland reviewed the preliminary list for the February 19, 2015 City Council meeting.

Announcements/Items of Community Interest

Mr. Roland reported that TxDOT will begin work on the Old Galveston Road Bridge beginning February 11, 2015. Construction will last approximately 6 months.

REPORTS FROM COUNCILMEMBERS

Pursuant to S.B. No. 1182, City Councilmembers may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

Announcements and requests from Councilmembers.

Council member Reed reported that the recent Shot Show he attended was very positive. He would like to discuss this item in a workshop and would like an update from staff regarding the status and progress of this project.

Council member Arendell asked staff to get Council information regarding the repair of Steele Road; it is in need of repair.

ADJOURNMENT

Council member Arendell moved to adjourn the meeting at 9:51 p.m. Seconded by Council member Thompson motion to adjourn carried on a vote of 7 Ayes.

PASSED and APPROVED this _____ day of _____, 2015.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk