

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
THURSDAY NOVEMBER 3, 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: Brad Richards, Chris Sanger, Glenn Starkey, Adam Arendell, Scott Reed and Keith Thompson.

Staff members present: Sereniah Breland, City Manager; Bobbi Kacz, City Attorney; Junru Roland, CFO/Assistant City Manager; Dixie Roberts, City Clerk; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director; and Robert Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Darren Shelton gave the invocation.

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

Council member Reed led the Pledge to the Texas Flag.

PUBLIC COMMENT

Mary Ann Madden-Green spoke in favor of the efforts of the Alvin Animal Adoption Center and center manager Autumn Miller and staff.

Deana Lopez commended the Alvin Animal Adoption Center's staff for their professionalism, participation in community adoption programs and maintaining a clean facility.

Linda Lopez, President of the Mutt Mesh Animal Rescue, read a letter from Dr. Susan Pickle, DVM, in support of the Alvin Animal Adoption Center's mission. Ms. Lopez also commended the adoption center's staff for their efforts in reaching out to the community and going the extra mile in caring for the animals at the shelter.

Michele McKee read a letter from Brooke Gray of Mile High Labrador Rescue in support of Autumn Miller and staff of the Alvin Animal Adoption Center.

Connie Hamilton spoke in support and commended the Alvin Animal Adoption Center's staff.

Evony Alvarado, student of Mark Twain Elementary, addressed the Council to explain the need for animal adoption center and to express support of the Alvin Animal Adoption Center.

Jade Anderson, student of Mark Twain Elementary, addressed the Council to explain the need for animal adoption center and to express support of the Alvin Animal Adoption Center.

Craig Zimmerman, student of Mark Twain Elementary, addressed the Council to explain the need for animal adoption center and to express support of the Alvin Animal Adoption Center.

Judy Zavala thanked members of Council for her recent appointment to the Senior Citizens Board and also praised members of staff at the Alvin Senior Center.

PRESENTATIONS

Proclamation – Retirement of Alternate Municipal Court Judge Bill Pannell.

Mayor Horn presented a proclamation to Bill Pannell upon his retirement as Alternate Municipal Court Judge.

Proclamation – Municipal Court Week.

Mayor Horn presented a proclamation to Judge Donna Starkey and Municipal Court Clerk Sonya Cates declaring November 7-11, 2016 as Municipal Court Week.

Proclamation – LyondellBasell.

Mayor Horn presented a proclamation to members of the Lyondellbasell Corporation thanking them for their donation of volunteer labor and materials for improvements to the playground equipment and installation of a picnic pavilion at Ruben Adame Park.

Citizens Academy

Alexandra Aggor, Management Assistant gave a brief presentation regarding the new Citizens Academy program that will begin in 2017. This program will give citizens who participate an inside look at how the City of Alvin local city government works.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Approve minutes of the October 20, 2016 City Council regular meeting.

Consider a Final Plat of McCoy’s Alvin Subdivision (located on the northeast corner of FM 517 and Clifford Street), an 8.61 acre replat of lots “B” and “C”, Evelyn Acres, a subdivision out of the I. & G. N. R. R. Company Survey, Section 25, Abstract No. 620, Brazoria County, Texas, according to the plat of record in Volume 23, Page(s) 45 – 46 of the plat records of Brazoria County, Texas.

On September 1, 2016 the Engineering Department received the final plat of McCoy’s Alvin Subdivision for review. The property is located at the northeast corner of FM 517 and Clifford Street in the City of Alvin and is being platted for the development of a McCoy’s Building Supply Store on Reserve A. Reserves B and C are being platted for future commercial development that is to be determined. This plat complies with all requirements of the City’s Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting October 18, 2016.

Consider Ordinance 16-AA; amending Chapter 17 ½ Signs; Article V. Sign Types; Division 2 – Temporary Signs; Section 17 ½ - 59 Special Event Signs; (c) Grand Opening Signs to reflect change to permitting process.

Chapter 17 ½ Signs; Article V. Sign Types; Division 2 – Temporary Signs; Section 17 ½ - 59 Special Event Signs; (c) Grand Opening Signs was initiated to assist new businesses coming to Alvin. This allows them a 14-day period to erect special signage permitted by the City for grand opening purposes. The permitting process originally was set up to require approval by the Economic Development Director for said signage. The permitting process is now better suited to allow the approval process to be directed to the Code Compliance Department.

Council member Adame moved to approve the consent agenda as presented. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

OTHER BUSINESS:**Consider appointment of Alternate Municipal Court Judge(s) to serve on an interim basis.**

Alternate Judge Bill Pannell has retired and the City is in the process of appointing a permanent alternate judge. However, the selection process is not complete and the Municipal Court will function more efficiently with a “temporary” judge(s). The Texas Code of Criminal Procedure details the duties of arresting peace officers and of magistrates regarding the rights of the accused. The law requires that in most circumstances, individuals in custody must be presented before a magistrate within 48 hours after their arrest. As magistrates, municipal judges are authorized to warn adult offenders of their respective rights as required by law. This requires municipal judges to handle daily jail proceedings. Judge Merkel performs the weekday jail arraignments as well as one weekend a month for the City. The remaining 3 weekends are handled by Judge Starkey and previously by Judge Pannell.

Judge John Vasut (Brazoria County Judge Precinct 2, Place 1, Manvel) and Judge Richard Davis (Brazoria County Judge Richard Davis Precinct 2, Place 2, Angleton) are both certified as municipal court judges, as well as Justices of the Peace in their respective precincts. Judge Vasut and Judge Davis each currently perform arraignments for county inmates in the Alvin city jail one designated weekend of the month. They are both willing to help the Municipal Court on an interim basis until a permanent alternate judge is appointed. As an alternate judge, their duties will consist of arraigning city inmates in the City jail as well as the county inmates during their currently scheduled weekends, thus, they are not requesting any compensation at this time. To perform this function, even though it is on an interim basis, council action is required to appoint alternate judges of the City’s Municipal Court.

Council member Thompson moved to appoint Judge Richard Davis and Judge John Vasut as Alternate Municipal Court Judge(s) to serve on an interim basis. Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider appointment to fill the vacancy of an unexpired term on the Planning Commission.

A Planning Commission member was appointed to serve a two (2) year term on the Planning Commission in December, 2014. Unfortunately, due to his work schedule he has missed three (3) consecutive meetings. According to the City Charter, members who miss three (3) consecutive meetings are automatically removed from the commission. A phone call was provided and a letter was sent via U.S. mail to notify him and to also thank him for his service on the commission.

Article VIII – Section 3 of the Charter states: Vacancies occurring in the commission shall be filled within thirty (30) days by the council for the remainder of the unexpired term. Membership shall be accompanied by active participation in the activities of the commission, and any member who is absent from three (3) consecutive regular meetings shall automatically be dropped from membership and the commission shall immediately notify the council that a vacancy exists.

The Charter also states that the commission shall consist of at least five (5) members nor more than fifteen (15) members. City Council will appoint members to boards and commissions in December, 2016. This vacancy can remain vacant until that time, or City Council can appoint a member to fill the vacancy until December, or Council can decide to not fill this position at all since the minimum board member requirement has been met. Charter requires that members of the commission be residents of the City of Alvin.

The current board members are: Charles Buckelew, Chair, Missy Jordan, Vice Chair, Darrell Dailey, Santos Garza, Robin Revak-Golden, Chris Hartman, Sussie Sutton, and Martin Vela. This vacancy has been advertised on all of the city’s social media accounts.

Nicole Kelinske, Jake Starkey, and Kerry Ulm have submitted a Consent and Willingness to Serve Form to specifically serve on the Planning Commission.

Council member Thompson moved to table this item until boards and commissions are appointed in December. Seconded by Council member Sanger; motion failed with a vote of 6 No’s and Council member Sanger voting Aye.

Council member Arendell moved to reappoint Randall Reed to fill the vacancy of an unexpired term on the Planning Commission. Seconded by Council member Richards; motion carried on a vote of 6 Ayes with Council member Sanger voting No.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Ms. Breland reviewed the preliminary list for the November 17, 2016 City Council meeting.

Items of Community Interest.

Ms. Roberts reviewed items of community interest.

REPORTS FROM COUNCIL MEMBERS

Announcements and requests from Council members.

Council member Thompson thanked Judge Bill Pannell for his service to the City of Alvin. He also applauded city employees for the job they do day in and day out.

Council member Reed thanked members of the public for coming out and speaking on behalf of the Alvin Animal Adoption Center. He also thanked the youth for coming out and making their voices heard.

Council member Arendell thanked Judge Pannell for his service to the City and also thanked the youth for coming out to speak before City Council regarding the Alvin Animal Adoption Center. Council member Arendell asked if policies and agreements such as the Collective Bargaining Agreement could be periodically reviewed to insure such agreements are working for all parties involved.

Council member Richards thanked Bill Pannell for his time and dedication to the City. He also thanked staff for the great job done on the Trick or Treat Trail event.

Council member Sanger thanked Judge Pannell for his service to the City.

Council member Adame thanked Judge Bill Pannell for his service to the City of Alvin and also thanked the youth for speaking before City Council this evening. He thanked Lyondell Bassell for their service project at the Ruben Adame Park and explained that this park was named after his grandfather's brother who was a Marine Veteran who died in service to his Country.

Council member Starkey thanked Judge Pannell for his service. He also commended Assistant City Manager Junru Roland for going out into the field to read meters.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 8:05 p.m. in accordance to the following:

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 8:22 p.m.

Direct staff to take necessary steps for possible sale of public property.

No action taken.

ADJOURNMENT

Council member Thompson moved to adjourn the meeting at 8:22 p.m. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

PASSED and APPROVED this _____ day of _____, 2016.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Clerk