

**REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
June 13, 2016
7:00 PM**

MEMBERS OF COUNCIL PRESENT: Mayor Pro Tem Mossman Councilmembers Harry Dollar, John Mahon, Bryce Klug, Jonathan Amdur, and Bob Wartens.

MEMBERS OF COUNCIL ABSENT: Mayor Mark Denman.

OTHER CITY OFFICIALS PRESENT: City Attorney Dick Gregg, Jr., City Manager Jason Reynolds, City Secretary Marisela Garcia, Assistant City Manager Mary Chambers, Finance Director Csilla Stiles, Police Chief Kenneth Campbell, Fire Chief Tom George, Communications Director Kristi Sykora, Public Works Director Paul Lopez, Planning Commission Chair Roscoe Lee, and Parks Chair Buck Gay.

PRESIDING: Mayor Pro Tem Mossman.

CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Pro Tem Mossman called the meeting to order at 7:00 p.m. and announced a quorum of Council was present with six elected officials in attendance.

INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

Pastor Al Scholz of Gloria Dei Lutheran Church read three songs, "My Country 'Tis of Thee", "America the Beautiful", "The Navy Hymn" and led everyone in "God Bless America."

A moment of silence was observed for those lost in Orlando, Florida.

The Pledges of Allegiance were led by the Nassau Bay Nauticats Coaches. Mayor Pro Tem Mossman gave the coaches a Certificate of Appreciation and posed for a photo with them.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS, AWARDS

Presentation of Grant Check from The NRA Foundation, Inc.

Mayor Pro Tem Mossman called for Chair Carl Chaffin, Co-Chair Bob Cowan and State Fund Delegate Trey Clift to present the Nassau Bay Police Department with the grant check. Bob Cowan gave a brief overview of their program noting they have an annual fundraiser which allows them to give back to the community. He presented Chief Campbell and Sergeant Sharp with a check in the amount of \$2,568 for the purchase of firearms for the Police Department.

Issuance of Certificates of Election

Mayor Pro Tem Mossman presented Bryce Klug and Bob Wartens certificates of election.

Councilmember Bob Wartens presented Sandra Mossman a certificate of election.

Administering Oaths of Office

City Attorney Dick Gregg, Jr. administered the oaths of office to Councilmembers-Elect Sandra Mossman, Bryce Klug, and Bob Warters.

Brief recess was held for Councilmembers-Elect. 7:15 p.m. The meeting was reconvened at 7:25 p.m.

Mayor Pro Tem Mossman recognized two elected officials in the audience, Clear Creek ISD Board of Trustee Board Members Ann Hammond and Win Weber and thanked them for their attendance to honor Robinson Elementary.

Recognition of Robinson Elementary on receiving the National School of Character Award

Mayor Pro Tem Mossman had Principal Yolanda Jones and her staff from Robinson Elementary come forward to be recognized for the achievement in receiving the National School of Character Award.

PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

No public hearing was held.

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

James Debruin, 18519 Point Lookout Drive, spoke regarding various issues with 1447 Pirates Cove including but not limited deed restriction violations, suspicious activity, concerns for small animals, and loud noise issues. This is not a safe location for area neighbors.

Roscoe Lee, 1631 Antigua Lane, spoke regarding the City Council's request for residents to submit input concerning the potential of flood protection, which was Coastal Regional Option #1. He reported that the Bay Area Citizen had an article in which Senator John Cornyn is supporting this item. This is important to our area due to the fact that if we have another Ike and comes up the Ship Channel, we do need some protection.

Carol Cassidy, 1402 Basilan Lane, indicated she was a lifelong Nassau Bay resident. Ms. Cassidy spoke regarding a Police Department vehicle which had the words "In God We Trust" on it and was to be placed on three other vehicles as well. A decision was made to remove the decal and she petitioned the City Council to discuss the placement of the words or at the least put it to a vote of the citizens of Nassau Bay.

COUNCILMEMBERS' COMMENTS/REPORTS

Councilmember Warters noted he was concerned about the level of effort that is being devoted to code enforcement in the City. The current person doing code enforcement work only works 32 hours per week and he is also the fire marshal. He is aware that we will be hiring someone to work in that area but for only 32 hours per week. He questioned whether that was adequate attention to what he believes is becoming an acute problem in the City.

Councilmember Klug thanked everyone for giving him an opportunity to serve another term. He was very humbled and honored and expressed his gratitude again.

Mayor Pro Tem Mossman recognized Robinson Elementary for receiving an “A” at the state level. Space Center Intermediate and Clear Creek High School both received an “A-” and are all “A” city. She congratulated them on their achievements. She presented them with their certificate of recognition and posed for a photo with them.

REPORTS FROM STAFF MEMBERS & COMMITTEES

COMMITTEES

City Manager

City Manager Reynolds spoke about housing statistics in Nassau Bay noting there were 791 homes which averaged 2,400 square feet and above. The median taxable value was \$194,000 or \$105/sq. ft., which shows that the values are up 19% since 2014 when it was only \$88/sq. ft. Home values overall have gone up 41% since 2011. This shows the homes values in Nassau Bay keep going up and speaks to the amazingness of Nassau Bay.

City Manager Reynolds gave an update on the solar lights noting the lights had been changed out to the same solar light pattern as the one on Harbour Drive but 12 of the ones that had been replaced have gone out. Clear World is out again for two weeks to replace the computer equipment. The light radius has increased from 20 feet to about 50 feet.

He reminded everyone about the 4th of July Parade and the fireworks.

He gave an overview of the Washington, D.C. trip that he, Assistant City Manager Chambers, and Mayor Denman had taken to lobby for NASA. He indicated there were 23 teams who spoke with 406 legislators over a two day period. Legislators were very receptive to hearing about NASA and while in attendance one of the committees passed an increased budget for NASA.

City Manager Reynolds stated a few residents in Nassau Bay were volunteering to fix up their butterfly garden. This speaks to what Nassau Bay is, reaching out and helping not only the community but the schools that our kids go to.

Lake Nassau Park restrooms are being remodeled and there are functioning port-a-johns available during that time.

Nassau Bay was one of 17 cities who received the “Playful City” award.

City Manager Reynolds noted the City held a hurricane preparedness seminar on May 19 and thanked those in attendance and participating.

New LED lights have been installed on the palm trees along Upper Bay due to wear and tear and continuous outages.

City Manager Reynolds welcomed Police Chief Kenneth Campbell to Nassau Bay.

Fire Department

Fire Department President Matt Roper reported the members logged 974 standby man hours and 26 calls at the station in May. Membership is holding fast at 42 members.

Parks Committee

Chairman Buck Gay gave update from the Parks Committee noting they had approved the Garden Club's request to install memorial plaques in each of their flowerbeds.

CONSENT AGENDA

The Consent Agenda listed the following items for approval:

- A. Approval of Minutes
 - 1. Regular Meeting on May 9, 2016; and
 - 2. Special Meeting on May 18, 2016; and

Economic Development Corporation Minutes of November 17, 2015

It was moved by Councilmember Klug, seconded by Councilmember Warters, that the above items on the Consent Agenda be approved.

Motion passed 6 – 0.

NEW BUSINESS

Resolution electing a Mayor Pro Tem

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY,
TEXAS ELECTING A MAYOR PRO TEM PURSUANT TO SECTION 3.05 OF
THE CITY CHARTER

(Said Resolution is of record in Resolution Book No. 19 of the City of Nassau Bay,
Texas, being Resolution No. R2016-2070.)

It was moved by Councilmember Mahon, seconded by Councilmember Dollar, to reelect Sandra Mossman as the Mayor Pro Tem.

Motion passed 6 – 0.

FIRST READING OF ORDINANCES

Ordinance amending Section 3-8 “Dangerous and/or Vicious Animal”

City Manager Reynolds stated this ordinance would make it easier on the animal control officer to identify animals that can go to the courts.

The caption of the ordinance reads as follows (first and only reading):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, FOR THE PURPOSE OF AMENDING SECTION 3-8 OF THE NASSAU BAY CODE OF ORDINANCES TO UPDATE THE PROVISIONS PERTAINING TO A DANGEROUS DOGS TO MAKE THESE PROVISIONS CONSISTENT WITH CHAPTER 822 OF THE TEXAS HEALTH AND SAFETY CODE CONTAINING A REPEALING PROVISION AND A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE HEREOF

It was moved by Councilmember Warters, seconded by Councilmember Amdur, to approve ordinance 2016-743 on first reading.

Motion passed 6 – 0.

Ordinance amending and combining Sections 3-3 and 3-4 “Animals at Large”

City Manager Reynolds stated this simplifies the ordinance and combines Sections 3-3 and 3-4 and further identifies what an at large animal is and sets parameters on where an animal can be. It also includes an electrical fence as a perimeter.

Councilmember Klug clarified that this ordinance includes graduating penalties for repeat offenders.

The caption of the ordinance reads as follows (first and only reading):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, FOR THE PURPOSE OF AMENDING SECTIONS 3-3 AND 3-4 OF THE NASSAU BAY CODE OF ORDINANCES TO COMBINE THESE SECTIONS INTO ONE SECTION THAT ADDRESSES ANY ANIMAL AT LARGE ON ANY TYPE OF PROPERTY OTHER THAN ON THE OWNER’S REAL PROPERTY, MOTOR VEHICLE, GOLF CART OR BOAT AND FURTHER TO EXPAND THE DEFINITION OF FENCING TO INCLUDE VIRTUAL FENCING AND PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED A SUM NOT TO EXCEED THE MAXIMUM ALLOWABLE BY LAW PROVIDED HOWEVER THE MINIMUM FINES SHALL INCREASE FOR REPEAT OFFENSES OCCURRING WITHIN A TWO YEAR TIME PERIOD FROM THE PRIOR OFFENSE AND EACH DAY OF VIOLATION SHALL BE DEEMED A SEPARATE OFFENSE; CONTAINING A REPEALING PROVISION AND A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE HEREOF

It was moved by Councilmember Amdur, seconded by Councilmember Klug, to approve ordinance 2016-744 on first reading.

Motion passed 6 – 0.

EXECUTIVE SESSION

Meeting recessed to Executive Session at 7:42 p.m. with Mayor Pro Tem Sandra Mossman reading from the posted agenda the following topics to be discussed in Executive Session:

1. §551.072 Deliberation Regarding Real Property – Discussion of real estate matters pertaining to various properties within the City limits.

Meeting returned to Open Session at 8:42 p.m.

ACTION ITEM(S) FROM EXECUTIVE SESSION

No action was taken on executive session item.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:42 p.m.

Minutes approved as submitted and/or amended this 11th day of July, A.D., 2016.



CITY OF NASSAU BAY, TEXAS

Mark A. Denman
Mayor

Marisela Garcia, TRMC
City Secretary