

**REGULAR MEETING AND PUBLIC HEARING
CITY COUNCIL
CITY OF NASSAU BAY, TEXAS
DECEMBER 9, 2019
7:00 PM**

MEMBERS OF COUNCIL PRESENT: Mayor Mark Denman, Mayor Pro Tem Don Matter, Councilmembers Ashley Graves, John Mahon, Bob Warters, and Matt Prior

MEMBERS OF COUNCIL ABSENT: Councilmember Bryce Klug (arrived 7:01 p.m.)

OTHERS PRESENT: City Attorney Dick Gregg Jr., City Manager Jason Reynolds, City Secretary Sandra Ham, Assistant City Manager Mary Chambers, Finance Director Csilla Ludanyi, Public Works Director Paul Lopez, Fire Chief Tom George, Emergency Management Coordinator Dena Mahan, and Planning Commission Chairman Roscoe Lee

PRESIDING: Mayor Mark Denman

CALL TO ORDER AND ROLL CALL OF MEMBERS

Mayor Mark Denman 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

The invocation was given by Reverend Mike Stone of St. Thomas the Apostle Episcopal Church. The Pledges to the American and Texas flags were led by Emergency Management Coordinator Dena Mahan.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS AND AWARDS

Recognition of Officer Donald Linder's Promotion to Corporal

Police Chief Tim Cromie recognized Officer Donald Linder for his recent promotion to Corporal. He noted Corporal Linder has been with the Nassau Bay Police Department for five years, with nine years of law enforcement experience. Chief Cromie congratulated Corporal Linder, and along with Mayor Denman, all posed for a photo.

Recognition of City Employee Jose Rosales-Patron for 20 Years of Service

City Manager Reynolds recognized Jose Rosales-Patron for his 20 years of continued service with the City of Nassau Bay, and presented an engraved cigar box honoring the occasion. Public Works Director Paul Lopez continued the recognition by summarizing Mr. Rosales-Patron's career with the City, detailing his positive influences in the department. Mayor Denman congratulated Mr. Rosales-Patron for his dedication to the City. A photo was taken of Mayor Denman, Mr. Lopez, and Mr. Rosales-Patron.

Presentation in Recognition of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program)

Mayor Mark Denman and City Manager Jason Reynolds congratulated the Finance Department as they successfully earned the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) Award. This is the City's third award. Mr. Reynolds noted this award led to a reduction in interest rate for the fire station debt obligation. A photo was taken of Mayor Denman, Mr. Reynolds, and Finance Director Csilla Ludanyi.

Presentation of a Check to the Houston Symphony League Bay Area

Mayor Denman presented Patience Myers of Houston Symphony League Bay Area a check in the amount of \$1,000 from the Hotel/Motel Tax fund. Ms. Myers thanked the City for the funding and briefly overviewed the education programs that the Houston Symphony League Bay Area provides to students in the area. A photo was taken of Mayor Denman and Ms. Myers.

Presentation of a Check to the Association of Space Explorers (ASE) XXXII Planetary Congress – Dr. Bonnie Dunbar

Mayor Denman presented Dr. Bonnie Dunbar of the Association of Space Explorers (ASE) XXXII Planetary Congress a check in the amount of \$15,000 from the Hotel/Motel Tax fund. Dr. Dunbar thanked the City for the funding and briefly overviewed ASE's XXXII Planetary Congress, which brought in astronauts from around the world to the area. Through the conference, the ASE booked approximately 250 rooms at the Hilton Hotel for the week. A photo was taken of Mayor Denman and Dr. Dunbar.

CITIZENS' REQUEST FOR HEARING BEFORE CITY COUNCIL

Mayor Denman announced a Public Hearing for citizens to address Council regarding any issues or concerns.

The Public Hearing was opened at 7:12 p.m.

Pete Seroka, 18226 Nassau Bay Drive, provided an update from Nassau Bay Homes Association (NBHA). He overviewed the recent website update, which will include the Association's 2020 budget. Additionally, after encouraging residents at the last meeting to have their addresses painted on their curbs, stated 15 homes have already done so. Mr. Seroka continued by noting the NBHA has received association dues from approximately 300 homes and reminded those who have not paid that a late fee will be assessed. He announced the NBHA intends to hold a May 2020 election for the positions of President and Treasurer. Lastly, he noted the NBHA will continue to strengthen communication with City staff and elected officials.

There were no other public comments and the Public Hearing was closed at 7:17 p.m.

COUNCILMEMBERS' COMMENTS/REPORTS

Councilmember Bob Wartens wished all a Merry Christmas and Happy New Year.

Councilmember Bryce Klug echoed the same wishes of Merry Christmas and Happy New Year.

Councilmember Ashley Graves congratulated Corporal Linder on his promotion, the Finance Department for their award, and Mr. Rosales-Patron for his tenure of twenty years. She continued by thanking all that participated in the Communities In Schools giving tree, as Nassau Bay is a sponsor of Space City Elementary. She ended her comments wishing all a happy holiday season.

Mayor Pro Tem Don Matter also wished all a Merry Christmas and Happy New Year.

MAYOR'S COMMENTS/REPORTS

Mayor Mark Denman announced that he and a group of Bay Area Mayors and public officials will volunteer to ring a bell at one of Salvation Army's kettles on December 13th.

REPORTS FROM STAFF MEMBERS & COMMITTEES

City Manager

City Manager Jason Reynolds began his comments by congratulating Corporal Linder and Mr. Rosales-Patron. He continued by announcing several upcoming City events, including the upcoming Holiday in the Park and Christmas Boat Lane Parade on December 16th. He also recognized Erma's Nutrition Center's well attended grand opening event.

Fire Department

President Matt Roper presented the Fire Department's November status report. Mr. Roper stated the Department responded to 20 calls and logged approximately 742 man hours. Current membership is at 40 members, with 37 members considered active and 3 members considered administrative members.

Planning Commission

Planning Commission Chairman Roscoe Lee overviewed a recent Planning Commission meeting in which the Commission addressed McDonald's plat review. He indicated there are changes that are required, but the Commission has conditionally approved the plat

CONSENT AGENDA

Approval of Minutes of Regular Meeting on October 14, 2019

Approval of a resolution reappointing Roscoe Lee, Arlene Phillips, and Jeff Horton to the Planning Commission to two-year terms to expire January 1, 2022

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, REAPPOINTING MEMBERS TO THE PLANNING COMMISSION

(Said Ordinance is of record in Ordinance Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2188.)

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Bob Warters, to approve the Consent Agenda.

Motion passed 7 – 0.

NEW BUSINESS

Approval on naming the City of Nassau Bay Fire & EMS Station in honor of current Fire Chief Tom George

Mayor Mark Denman stated he would like the City of Nassau Bay to honor Fire Chief Tom George's service with the naming of the new Fire & EMS Station in his honor. Mayor Denman described Mr. George's service to the City, with 31 years dedicated to the Volunteer Fire Department. Mayor Pro Tem Don Matter also commented that the naming was a well-deserved honor for Tom, with Councilmember Bryce Klug echoing the same sentiments.

Mr. George expressed his appreciation to Council and emphasized the amount of support received by all. He especially thanked Mayor Denman and Mayor Pro Tem Matter, and recognized every City Manager he has worked with, as they all have provided tremendous support to the Department. He indicated he was honored and humbled, and thanked the Fire Department, his family, his wife, and the citizens.

A photo was taken of Mr. George and his family, along with another photo with the Fire Department, followed by a standing ovation from the audience.

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Bob Warters, to approve the naming the City of Nassau Bay Fire & EMS Station in honor of current Fire Chief Tom George.

Discussion on a policy update to the City of Nassau Bay's current Park Master Plan

City Manager Jason Reynolds indicated this agenda item was solely a discussion item, and no action would be taken. The goal of the internal policy is the standardization of the park bench aesthetics throughout the City. This internal policy will establish zones for new benches and identify point placement of current benches and limit the addition of new park benches. Additionally, this policy provides direction for the Parks Committee, CANBE, and staff when new benches are requested to be added to the City's park system. Mr. Reynolds noted it also establishes distance between new benches to ensure placement is not overcrowded. Mr. Reynolds provided visuals on the current placement of benches, along with designated areas for possible new benches. Currently, there are seven styles of benches in the City.

Councilmember Ashley Graves commented on CANBE's goal to unify the look of the benches within the City, while taking the burden off Public Works to replace the benches. Every bench that CANBE sells provides the ability to replace five benches, ergo beautifying the City.

Mayor Pro Tem Don Matter requested the benches to be maintenance free, with Mr. Reynolds noting the benches are composed of a Trex material. This material offers a longer life span and is less maintenance.

Approval of a resolution authorizing the City Manager to sign necessary closing documents required for the purchase of homes in the 2017 FMA home acquisition grant, which include properties located at 16, 20, 22, 24, 26, & 28 Leeward Lane

City Manager Jason Reynolds began his comments stating that the purchase of the homes located at Leeward Lane will mitigate seven homes from the FEMA severe repetitive loss list. These homes will be acquired with Federal funding, thus turning the properties into green space in perpetuity. Upon approval, the first home to close will be 16 Leeward Lane. At this time, several homes are contesting the purchase sale price, but the City is utilizing code enforcement methods to encourage the sale.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN ANY NECESSARY CLOSING DOCUMENTS REQUIRED FOR THE ACQUISITION OF CERTAIN PROPERTIES.

(Said Ordinance is of record in Ordinance Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2189.)

It was moved by Councilmember Bob Warters, seconded by Councilmember Ashley Graves, to authorize the City Manager to sign necessary closing documents required for the purchase of homes in the 2017 FMA home acquisition grant, which include properties located at 16, 20, 22, 24, 26, & 28 Leeward Lane.

Motion passed 7 – 0.

Approval of a resolution authorizing the City Manager to sign any necessary closing documents required for the purchase of a property located at 18 Leeward Lane, Nassau Bay, Texas 77058 in the amount of \$90,000

City Manager Jason Reynolds indicated the property located 18 Leeward Lane did not have flood insurance to receive Federal funds for acquisition through the 2017 FMA grant. Additionally, the home is not eligible to be elevated. As the homeowner did not comply with code enforcement measures, Council had previously agreed to move forward with the City's acquisition of the home.

Mayor Mark Denman voiced his support of the property acquisition, as he stated the home had not had air conditioning for at least 15 years.

Councilmember Bryce Klug inquired since the City had the ability to purchase the home outside of the FEMA grant, whether there would be an option to rebuild the home if desired. Additionally, he requested details on the City's intent with the space after demolition. Mr. Reynolds indicated it will be a green space, and additionally provide space for the fire boat to be docked.

Councilmember Klug voiced his concern on removal of a home that could be remarketed to be rebuilt. Mr. Reynolds responded by stating Council can choose to make that decision, as the timeline is approximately a year to demolition all of the homes. Councilmember

Klug requested an amendment to the motion to allow the possibility of the home to be rebuilt. Councilmember Wartens agreed to the amendment to the motion.

The caption of the resolution reads as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN ANY NECESSARY CLOSING DOCUMENTS REQUIRED FOR THE ACQUISITION OF 18 LEEWARD LANE, NASSAU BAY, TEXAS 77058.

(Said Ordinance is of record in Ordinance Book No. 19 of the City of Nassau Bay, Texas, being Resolution No. R2019-2189.)

It was moved by Councilmember Bob Wartens, seconded by Mayor Pro Tem Don Matter, to approve a resolution authorizing the City Manager to sign any necessary closing documents required for the purchase of a property located at 18 Leeward Lane, Nassau Bay, Texas 77058 in the amount of \$90,000, with the addition of Council to discuss the options for the property prior to demolition.

Motion passed 7 – 0.

Action authorizing the City Manager to sign a contract with Kendig Keast Collaborative for \$65,000 to update the Nassau Bay Comprehensive Plan

Assistant City Manager Mary Chambers indicated that State Statute requires cities to have a 20-year long comprehensive plan, with the Nassau Bay City Charter Section 10.03 establishing a 5-year review process for the comprehensive plan. City staff issued an RFP for the project and received only one response. The City then contacted H-GAC and worked through their process to issue the RFP, in which Nassau Bay received three responses.

Mrs. Chambers noted the current plan was updated in-house in 2015. The last time a consultant was hired for a Comprehensive Plan update was in 2010. The City has undergone substantial changes since the 2010 Comprehensive Plan and 2015 Plan update. In consideration of the significant and ongoing development in the City, such as the expansion of Houston Methodist Clear Lake, and the numerous FEMA home elevations, Mrs. Chambers indicated it was an ideal time to reiterate and re-imagine the future of the community. After negotiations with Kendig Keast Collaborative, a 9-month Plan Update for \$65,000 is proposed.

Assistant City Manager Chambers also provided a list to Councilmembers of the City's accomplishments as a result of the last complete Comprehensive Plan. Planning Commission Chairman Roscoe Lee stated his support for the usefulness of the Comprehensive Plan in recent years. Mr. Lee indicated members of the Planning Commission are not professional planners, ergo, a consulting company is needed to assist in providing a vision of outside trends. He believes a volunteer committee made up of citizens cannot duplicate this same result.

Councilmember Bob Wartens voiced his opinion against the paid Comprehensive Plan study, as Nassau Bay is already a developed community. He denied the notion that the recent development stemmed from the last planning study, but rather from Council and

staff. Additionally, he stated some of the proposed development ideas from the previous Comprehensive Plan were rather far-fetched ideas for the City.

Mayor Pro Tem Don Matter was in agreeance with Councilmembers Warters comments, but additionally added the usefulness the planning study would be to City Manager Jason Reynolds. Mayor Pro Tem Matter was in favor of the study as he believes Mr. Reynolds could effectively utilize the plans, and it would provide the City an ability to prevent the developers who come into the City from dictating the plans for the City. Mr. Matter ended his comments by noting that the Comprehensive Plan is dictated by the City charter, and he was in favor of contracting with professionals.

Councilmember Bryce Klug commented on the value the Comprehensive Plan was for the City manager and inquired further regarding the cost of the contract. Mayor Mark Denman further explained other area home-rule cities contract with a professional firm every 10 years and more often pay over \$100,000 for the services. Councilmember Klug requested additional details on how City Manager Reynolds would utilize the planning study.

City Manager Reynolds responded to Councilmembers Warters point that the City is already built out, and further asked for Council's consideration on redevelopment. As homes trends change, Council needs to be aware of these developments and their impact on home aesthetics. Mr. Reynolds emphasized the need to look at large scale impacts, how the City is planning for redevelopment, and how Nassau Bay maintains relevancy as a City.

Councilmember Ashley Graves voiced her support for the Comprehensive Plan, indicating that as the City's changes the study can assist Council and staff in looking forward rather than being vulnerable by what may be developed by outside parties. Additionally, she believes the City was fiscally responsible in pricing the contract.

It was moved by Mayor Pro Tem Don Matter, seconded by Councilmember Ashley Graves, to authorize the City Manager to sign a contract with Kendig Keast Collaborative for \$65,000 to update the Nassau Bay Comprehensive Plan.

Motion passed 6 – 1, Warters opposed.


ADJOURNMENT

There being no further business, the meeting adjourned at 8:02 p.m.

Minutes approved as submitted and/or amended this 10th day of February, A.D. 2020.



ATTEST:


Sandra V. Ham
City Secretary

CITY OF NASSAU BAY, TEXAS


Mark A. Denman
Mayor