

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, November 8, 2022

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 8th day of November 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center and notice of meeting giving time, place, date, and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Tim Jayroe
Council Member Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

Mayor Pro-Tem Andrea Hattman, Ward 4

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Allison Bastain-Rodriguez – *Via ZOOM*
Director of Finance Katie Griffin
Parks & Leisure Services Maintenance Superintendent George Bennett
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Director Bob Argetsinger
Police Chief Greg Stevens

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:34 p.m. on Tuesday, November 8, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Hale led the Pledge of Allegiance to the U.S. flag.

3. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any Agenda item or any subject matter, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Kristie Rutledge, 1411 Dana Drive, addressed the Council and commented: Recently came to my attention that citizen input has changed at Council meetings. The policy has been reinterpreted and never come before Council. I feel like my speech and Mr. Hutt's is being limited and you are trying to punish me, but you are punishing others. I want my Council representative to put discussion of this on the next Agenda.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 4. Deliberate and act on approval of Regular Meeting Minutes of October 25, 2022.**
- 5. Deliberate and act on donating an out-of-service Rockport Police patrol vehicle to the Fulton Police Department by adopting a Resolution declaring certain City property surplus and authorizing the disposition and donation of said property to further a public purpose; and establishing an effective date.**
- 6. Deliberate and act on donating an out-of-service Rockport Police patrol vehicle to the Rockport Volunteer Fire Department by adopting a Resolution declaring certain City property surplus and authorizing the disposition and donation of said property to further a public purpose; and establishing an effective date.**
- 7. Deliberate and act on report from the Rockport-Fulton Chamber of Commerce for Fiscal Year 2021-2022 marketing expenditures for HummerBird celebration.**
- 8. Deliberate and act on 4th quarter report from the Rockport Cultural Arts District for Fiscal Year 2021-2022 marketing expenditures.**

Mayor Jayroe called for requests to remove any item from the Consent Agenda for separate discussion.

MOTION: Council Member Brundrett moved to approve the Consent Agenda Items, as presented. Council Member Jackson seconded the motion. Motion carried unanimously.

Regular Agenda

- 9. Deliberate and act on second and final reading of an Ordinance granting a Conditional Use Permit (CUP) to allow the use of a manufactured home on the property zoned R1 (1st Single Family Dwelling District), located at 157 Kluge Trail; also known as McCombs Subdivision, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Public Works and Building & Development Services Director Mike Donoho addressed the Council. Mr. Donoho said there had been no changes in format or content since Council approved the first reading of the Ordinance on October 25, 2022.

MOTION: Council Member Brundrett moved to approve the second & final reading of an Ordinance granting a Conditional Use Permit (CUP) to allow the use of a manufactured home on the property zoned R1 (1st Single Family Dwelling District), located at 157 Kluge Trail; also known as McCombs Subdivision, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas; subject to compliance with the conditions stated within this Ordinance, as well as those stipulated in the City of Rockport Code of Ordinances; repealing all ordinances in conflict therewith; providing for severability; and providing an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

- 10. Deliberate and act on first reading of an Ordinance of the City of Rockport amending Code of Ordinances Chapter 102 'Utilities', Article IV. 'Surcharge Revenue Account', by amending Section 102-401 'Surcharge' to increase surcharge fee, repealing all ordinances in conflict therewith; providing for severability; and providing an effective date.**

Director of Finance Katie Griffin addressed the Council. Ms. Griffin said at the last Council meeting the utility bill surcharge funds were distributed to the three Aransas County Volunteer fire departments and Council Member Brundrett has asked staff to prepare an agenda item to discuss the current utility bill surcharge rate and the possibility of amending that rate. Ms. Griffin stated the utility bill surcharge began at \$1.00 in 1989 and the last increase was in August 2010 in the amount of \$1.35. Ms. Griffin explained the surcharge was established for the purchase of capital items at a unit cost of more than \$100 with an intended life of two years or more for the fire departments. Ms. Griffin said an increase of \$.05 per connection would equate to approximately \$5,405 annually to be distributed to the local volunteer fire departments, with an annual impact per single household of \$.60.

Council Member Brundrett said if there is a \$.05 increase that would mean Rockport Volunteer Fire Department would get \$3,500 and that buys one set of equipment. Council Member Brundrett expressed the fire departments provide us a very important service and if the City were to establish a full-time fire department an increase in tax rate would have to happen.

Council Member Brundrett added that the City retains a 5% administrative fee, and he thinks the City should not keep that and some good could be had by passing that along to the fire departments.

City Manager Shrauner said she had asked Ms. Griffin to provide the information on a \$.05 increase and it was only a suggestion. Ms. Shrauner stated the proposed Ordinance does not have a specific amount listed and if Council wants additional information this item can be postponed.

Council Member Hale asked if there were wholesale customers participating.

Ms. Griffin answered that a few years ago previous City Manager Carruth had made the decision for voluntary participation. Ms. Griffin said the City has over 11,000 customers and 2 wholesale water customers.

Council Member Hale asked if the City could provide a step increase, essentially where we could send notice to customers, and you could increase by \$5.00 per month knowing it is going into the utility surcharge fund for fire departments.

Ms. Shrauner answered that is possible, but staff would need some time to figure that out.

Council Member Hale added that it needs to be clear to citizens that they still can opt out. Council Member Hale expressed how we fund public safety is a high priority. Council Member Hale stated it needs to be put at a level that makes sense; Rockport is special and unique, and we cannot keep not funding public safety. Council Member Hale added that she did not know what the number was, but she is for incremental increase.

Ms. Shrauner said the City could do \$.05 every six months and cap at \$6.00.

Ms. Griffin said staff will prepare some numbers for doing \$.05 every six months with a cap at \$6.00 and bring that back to Council for consideration.

MOTION: Council Member Jackson moved to postpone this Agenda item until the City Manager and Director of Finance can prepare financial information and bring back to Council for discussion and consideration. Council Member Brundrett seconded the motion. Motion carried unanimously.

11. Deliberate and act on purchase of a 2023 John Deere 320P Backhoe.

Public Works and Building & Development Services Director Mike Donoho addressed the Council. Mr. Donoho said this is a routine purchase using money from the vehicle equipment fund, which will replace a 20-year-old unit. Mr. Donoho stated the cost for the Backhoe is \$143,131.38 and will be purchased through a Buy Board quote.

MOTION: Council Member Brundrett moved to approve the purchase of 2023 John Deere 320 Backhoe in the amount of \$143,131.38. Council Member Hale seconded the motion. Motion carried unanimous

- 12. Deliberate and act on a Resolution authorizing the City Manager to enter into a contract for the collection of delinquent special assessments between the City of Rockport and Linebarger Goggan Blair & Sampson, LLP; repealing all conflicting resolutions and providing for an effective date.**

This Agenda item was not discussed or acted upon.

- 13. Report from City Manager:**
a. Update on City Projects
b. Budget Reports

City Manager Shrauner said she did not have a report for Council for this meeting, but she will be providing a report at least at every other meeting. Ms. Shrauner stated if Council has specific questions regarding City Projects or Budget Reports, she would be happy to answer them.

14. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Council Member Jackson announced there will be a Veteran's Day event at 11:00 a.m. on Friday, November 11, 2022, at Veterans Memorial Park. Council Member Jackson said there will also be a free spaghetti dinner at the Veterans of Foreign Wars facility.

Council Member Hale said she hoped everyone went out and exercised their right to vote today. Council Member Hale stated she attended a Stormwater Advisory Committee Meeting yesterday. Council Member Hale added the City Council and Charter Review Commission had held a joint meeting at 5:30 p.m. this evening and she thanked the citizens serving on that Commission and thanked citizens for input.

Mayor Jayroe said the Stormwater Advisory Committee had discussed at length Little Bay and water quality and after a lot of study done by knowledgeable people, there is still no idea what is causing problems and a definite solution to the problem has not been determined yet.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 15. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on 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 this chapter: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.**
- 16. Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: A) City Secretary Evaluation; B) Municipal Court Judge; and C) Municipal Court Administrator.**

At 7:01 p.m., Mayor Jayroe convened the City Council into executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in: Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on 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 this chapter: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project; and Section 551.074 Personnel Matters - deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: A) City Secretary Evaluation; B) Municipal Court Judge; and C) Municipal Court Administrator.

Open Session

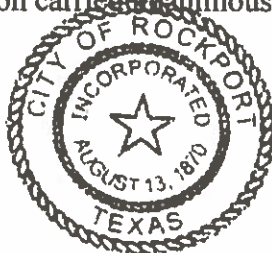
City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 7:13 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

No action was taken.

17. Adjournment.

At 7:13 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.



APPROVED:


Tim Jayroe, Mayor

ATTEST:


Teresa Valdez, City Secretary