

MINUTES

July 14, 2015

Village Council Regular Meeting

OFFICIALS PRESENT:

Mayor Larry Davison, Councilwoman E. Elizabeth Brown, Councilman Troy McMinn
Councilwoman Peggy Llewellyn, Councilwoman Toni Capretta, Councilman Dave Guzman
Employees Present: Chief Gary W. Phillips, Public Works Director Pete Gutiérrez,
City Secretary Amanda Davenport

1) CALL TO ORDER, QUORUM IN ATTENDANCE

Mayor Davison called the meeting to order at 7:00 pm and announced that a quorum was in attendance.

2) MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE

3) Presentation of the Audit for the 2014 Fiscal Year by Jeff Stogner

4) BUSINESS OF VISITORS NOT ON THE AGENDA

- Mr. Jim Savage questioned the golf cart ordinance stating that he has seen underage kids driving golf carts and people in general not following city ordinances regarding operation of golf carts. Mr. Savage also stated that he doesn't think the flags that SOBA places on a holiday follows federal requirements.
- Lou Golish stated that he didn't understand why the recent spill at Dow Chemical wasn't communicated to the residents in a better manner. Councilwoman Brown explained that Dow Chemical was not obligated to notify anyone on the island about the spill or the subsequent highway closing because residents had other routes at their disposal. The spill did not meet or exceed the legal vicinity requirement for Dow to notify Surfside Beach; therefore, Dow did not notify our residents of their spill.
- Penny Simpson who resides at 231 Ocean complained about the smell from the Red Snapper Inn and the dirt road near Ocean Avenue that creates so much dust.

5) Open Public Hearing regarding re-zone of property from the residential designation to the C-1 commercial designation at 202 and 204 Francis Cove, and discuss changing the requirement in the zoning ordinance for the minimum square footage of a commercial building from 1600 square feet to 800 square feet. (No action will be taken at this time.)

Mayor Davison opened the public hearing at 7:28 p.m. Mr. Brooks Porter and Mr. Patrick Harrison spoke regarding the rezone. Mayor Davison explained the commercial building square foot change.

6) Close Public Hearing.

Mayor Davison closed the public hearing at 7:34 p.m.

7) Mayor/council/committee/department head/organization reports, including Ms. Edith Fischer with the Brazosport Convention and Visitor's Council.

- **Ronnie Grant** reported to council regarding the Historical Committee and stated that a meeting on August 31, 2015 will be at City Hall.
- **Chief Phillips** gave an update on the activities of the police department for June 2015.
- **Peggy Llewellyn** reported that the village has executed the archaeological contract.

- **Pete Gutiérrez** stated that the Consumer Confidence Report had been mailed out.
- **Councilman Guzman** commended Chief for EMS quick response. He also stated that the residents have become complacent regarding storms and more diligence is needed keeping the debris off the ground.
- **Mayor Davison** gave an update on the future groin project.
- **Edith Fischer** with the Brazosport Convention and Visitor's Council gave the annual report.

8) **ALL ITEMS UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY, AND THE COUNCIL WILL ENACT THEM WITH ONE MOTION. UNLESS A COUNCIL MEMBER SO REQUESTS, NO SEPARATE DISCUSSION OF THESE ITEMS WILL OCCUR.**

CONSENT AGENDA:

- Consider approval of minutes from the June 9, 2015, council meeting.
- Consider approval of the June 2015 financials.
- Appoint Councilman Guzman as the Tourism/Beautification liaison.
- Appoint Freda Guzman to the Tourism/Beautification Committee.

Councilwoman Brown motioned to approve the items on the consent agenda. Councilwoman Llewellyn seconded the motion, and council unanimously passed it.

9) **Discuss and take possible action on Permit # 95-05-05 regarding change in ownership of an existing RV park.**

Mayor Pro Tem McMinn motioned to change the name of the owner's on permit # 95-05-05. Councilwoman Capretta seconded the motion, and council passed it unanimously.

10) **Discuss and take possible action on approving a letter to the Old Guys Surf Reunion accepting donations from OGSR to the Fort Velasco reconstruction project.**

Councilwoman Llewellyn motioned to approve a letter accepting donations from the OGSR. Councilwoman Brown seconded the motion, and council passed it unanimously.

11) **Discuss and take possible action on a request for a waiver of the vendor fee for the Lions Club annual fundraiser on Labor Day weekend.**

Councilwoman Llewellyn motioned to waive the vendor fee for the Lions Club annual fundraiser on Labor Day weekend. Councilwoman Capretta seconded the motion, and council passed it unanimously. Councilwoman Brown abstained because of conflict of interest. She is the secretary of the Surfside Beach Lions Club.

12) **Discuss and take possible action on a contract extension request from WasteConnections.**

Evan Sharp with WasteConnections presented the contract extension request to Council. This item will return to Council in August.

13) **Discuss and take possible action on approval of Ordinance 2015.07.14A regarding prohibiting camping on Surfside Beach.**

Councilwoman Llewellyn motioned to approve Ord. 2015.07.14A. Councilwoman Brown seconded the motion, and council approved it unanimously.

14) **Discuss and take possible action on Ordinance 2015.07.15B amending the Village of Surfside Schedule of Fees to include a master permit vendor fee.**

Councilwoman Brown motioned to approve Ord 2015.07.15B Schedule of Fees. Councilwoman Llewellyn seconded the motion, and council approved it unanimously.

15) **Discuss and take possible action on re-plat of Lots 3, 3A, 4, and 4A Block 564 of the Surfside Townsite, making four lots into two lots located at 1310 Surf Drive.**

Councilwoman Brown motioned to approve re-plat of two lots at 1310 Surf Drive. Councilwoman Llewellyn seconded the motion, and council approved it unanimously.

16) **Discuss and take possible action on an Interlocal Agreement with the Velasco Drainage District.**

Councilwoman Llewellyn motioned to approve the Interlocal Agreement with Velasco Drainage District for assistance with certain projects. Councilwoman Capretta seconded the motion, and council approved it unanimously.

17) **Executive Session:**

The City Council may convene into closed executive session pursuant to Texas Government Code, Section 551.071, CONSULTATION WITH ATTORNEY: specifically regarding pending or possible litigation.

Council recessed into executive session at 9:06 pm.

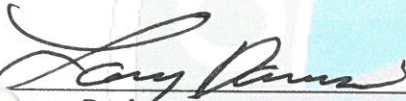
Council reconvened into regular session at 9:34 p.m.

18) **Action, if any, out of the executive session.**

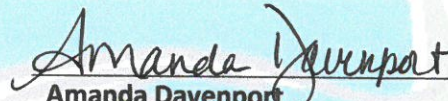
Councilwoman Llewellyn motioned to approve Attorney Tim Kirwin to move forward representing the Village and answering the current lawsuit Cause No. 82207CV. Councilwoman Brown seconded the motion, and council approved it unanimously.

19) **ADJOURN**

APPROVED THIS 11TH DAY OF August 2015.



Larry Davison
Mayor



Amanda Davenport
City Secretary

