

MINUTES

~~September 9, 2014~~ Oct. 14, 2014

City Council Special Meeting and Budget Workshop

OFFICIALS PRESENT

Mayor Larry Davison, Councilwoman E. Elizabeth Brown, Councilman Troy McMin  
Councilman Chris Gaschler, Councilman Gregg Bisso, Councilwoman Sharon Aust

Employees Present: Chief Phillips, Sandra Miller, Pete Gutierrez

- 1) OPEN REGULAR CITY COUNCIL MEETING
- 2) MOMENT OF SILENCE
- 3) PLEDGE OF ALLEGIANCE
- 4) CITIZENS'/VISITORS' COMMENTS TO COUNCIL

\* Glenda McGonigle was recognized and wanted to thank the public works crew for their hard work and offered to buy them lunch.

\* Clare Dunn requested that the potholes be on Gulfway be addressed. Mayor Davison asked Sandra Miller do fill out a work order for this.

\* Brooks Porter asked about the beach nourishment project, Mayor Davison gave the update on the status and stated that we had a kick off meeting with the GLO and Coast and Harbor.

5) MAYORAL/ALDERMEN/COMMITTEE/POLICE ANNOUNCEMENTS

\* Chief Phillips presented his report of the months activities. He added that the Christmas Party would occur again this year and that donations for the kids were needed.

\* Peggy Llewelyn of the Beach Advisory Committee said that they had met and went over some of the changes needed for the beach plan. She added that there was some work needed on the Gulfway Court walkover. Peggy stated that we had the honor of having the ASBPA coming to have their meeting in Surfside Beach at which time we could also meet with the GLO to go over access issues etc.

\* Dortha Pekar said that the Historical Commission had met and the Texas Navy Day was a real success. Funds raised will be of great benefit to the rebuild project.

\* Dortha also spoke about Treasures by the Sea, another event up coming. SOBA would be helping with this event. There would be kite flying etc. and proceeds go to the rebuild. Mayor Davison thanked Dortha and all involved for their efforts and said that the conservancy is getting more and more on board with the project.

\* Janna Williams announced that the tourism committee had met and spoke about the battle of the bands, maps and brochures as well as proposed that we have an event to promote the Lively Landing.

\* Councilman Bisso thanked Pete and his crew for their hard work, he said that the beach looked good and asked if we could get 15 MPH speed limit signs ion the beach.

\* Pete spoke about the beach main entrance in that they were going to try to reopen it. Since we had all the rain. Mayor added that it is fishing season and many of the surf fisherman like to fish near that main entrance.

\* Kim with the marathon gave the details on the marathon and thanked the city for the assistance in making this a success each year. She spoke about a get fit program for kids she promoted and said she would leave some of the brochures for the kids of Surfside Beach.

\* Pete also wanted to add that he was going to start the process of replacing some of the water lines that were in bad shape.

6) CONSENT ITEMS.

- a) Consider approval of the minutes for September 2014.
- b) Consider approval of the financials for September 2014.

A motion was made by Bisso, second by Brown and with all in favor the consent items were approved.

7) **REGULAR SESSION**

**1. Discuss and review and take action on amendments to the Dune Protection and Beach Access Plan.**

\* McMinn asked why we could not leave the migrating sand where it is. Much discussion ensued about this issue. McMinn asked if the engineered beach or pedestrian beach could be re-nourished indefinitely. Mayor Davison said no, that there is limited funding for this and we have to rely on the GLO for this massive project. There was discussion on who owns the sand that migrates it fit lands on private property. McMinn asked if the widening and deepening of the Jetties was responsible for the erosion. Mayor stated that we have to be grateful for now that the state will do the re-nourish at no cost to the city. The issue of the increased fee was spoken about as well as Councilman Gaschler asking about new language to allow pools. Sandra stated that we were amending the language on the plan to match state law, the past plan was stricter than state law. Also that this was a rough draft and there will be more edits needed.

**2. Discuss, review and take action on Ordinance 2013-06.**

\* McMinn left the council seat and sat in the audience in order to abstain as a councilman on this issue because he has a RV park. Mayor Davison gave a historical account of the various changes that have occurred to this ordinance. Troy stated that the annual fee portion and the need to move the RV's every six months had been stricken before and then added back in later. He felt this was absurd because RV parks pay more in property taxes and contribute a great deal to the community. He stated that there was no storm where the RV's were not able to be evacuated. Mayor Davison said that they were trying to comply with FEMA rules. The item had no action due to no amended ordinance being presented.

**3. Discuss and consider ordinances merging the beautification and tourism committees making it a 7 member group.**

\* The new ordinance that combined the beautification and tourism committees was read aloud. Sandra stated that she thought this was a great idea and would solve the issue of the groups being short members. One group had two members and the other had five, this would make seven in all and form a productive group. A motion was made by McMinn, seconded by Bisso and with all in favor the item passed.

**4. Discuss and consider appointing a new member to the Beach Advisory Committee.**

\* Peggy Llewelyn, the chairman of this committee said that Toni Capretta and Richard Sherman had both attended the meetings and would each make good candidates. Motion was made by Bisso to appoint Toni Capretta, seconded by Aust and with all in favor the motion passed.

**5. Discuss and consider adding an alternate member to the planning commission.**

\* Motion was made by McMinn to appoint Christopher Kratt, seconded by Bisso and with all in favor the appointment was approved.

8) **CLOSED SESSION – 8:17 PM**

**City Secretary Sandra Miller was asked to join Council in closed session.**

The City Council may convene into closed executive session pursuant to Texas Government Code, Section 551.074, PERSONNEL MATTERS, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing namely:

**-Linda Manning, Building Official**

The City Council may convene into closed executive session pursuant to Texas Government Code, Section 551.071, CONSULTATION WITH ATTORNEY, to seek the advice of its attorney about pending or contemplated litigation namely:

**-Administrative Appeal between the Village of Surfside Beach, Texas and the General Land Office, Docket No. GLOAH-BMR-792014-1**

The City Council may convene into closed executive session pursuant to Texas Government Code, Section 551.071, CONSULTATION WITH ATTORNEY, to seek the advice of its attorney about pending or contemplated litigation or 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 (Texas Government Code, Chapter 551) namely:

**-TCEQ matter**

**9) RECONVENE INTO OPEN SESSION – 8:45 PM**

The City Council to reconvene into open session and take any action, if necessary, on the items considered and discussed in closed executive session namely:

Texas Government Code, Section 551.074, PERSONNEL MATTERS, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing namely:

**-Linda Manning, Building Official -**

- *A motion was made by Councilwoman Brown to terminate Manning, seconded by McMinn and with all in favor the motion was approved.*

Texas Government Code, Section 551.071, CONSULTATION WITH ATTORNEY, to seek the advice of its attorney about pending or contemplated litigation namely:

**-Administrative Appeal between the Village of Surfside Beach, Texas and the General Land Office, Docket No. GLOAH-BMR-792014-1**

- *A motion was made to approve this appeal by Councilman McMinn, seconded by Councilwoman Aust and with all in favor the item was approved.*

Texas Government Code, Section 551.071, CONSULTATION WITH ATTORNEY, to seek the advice of its attorney about pending or contemplated litigation or 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 (Texas Government Code, Chapter 551) namely:

**-TCEQ matter**

- *No Action on this item.*

**10) ADJOURNMENT – CITY COUNCIL MEETING**

Attest: \_\_\_\_\_

*Sandra Miller*

Sandra Miller, City Secretary

