

MINUTES
RICHWOOD CITY COUNCIL
Regular Meeting, Tuesday, August 20, 2013
Richwood City Hall
215 Halbert
Richwood, TX 77531
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Clint Kocurek, Mayor and presiding officer.

A. Opening Prayer

The opening prayer was given by Glenn Patton, City Manager.

B. Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

C. Texas Pledge of Allegiance

The Texas Pledge was recited by those in attendance.

II. ROLL CALL OF COUNCIL MEMBERS

Roll call showed the following members present:

Clint Kocurek, Mayor and presiding officer.

Paul Raymond, Council, Position #1

John Pitts, Council, Position #2

Jarrold Beaty, Council, Position #3

Donna Lacy, Council, Position #5

Absent:

Morgan Laird, Council, Position #4

A quorum was declared. Others present included Glenn Patton, City Manager, Karen Schrom, City Secretary, Brad Caudle, Police Chief, Kenny Williams, Public Works Director, John Fleming, Derek Rester, Gloria Pettey, John Cone, Greg Divine, Tina Pettey, Michelle Story, Gerald Conduct, Janet Jackson-Ellis, Garry Ellis, Billy Pettey, Michele Craig, Matt Craig, and David Pettey.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

On motion by Councilman Beaty, seconded by Councilman Pitts, with all members present voting aye, the minutes of July 8 and July 23, 2013 were approved as presented.

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IV. **ANYONE WISHING TO ADDRESS COUNCIL**

Councilman Pitts stated that he'd like to have pictures of the Council after the meeting since this will be our last meeting in the old building.

V. **DISCUSSION AND ACTION ITEMS**

A. Public Hearing - rezoning 215 Halbert as B-1, Business

The public hearing was opened at 6:04 p.m.

Charles Pettey, 207 W. Mahan, stated he feels that we have quality people with an interest in Richwood at heart on City Council and that the City had worked on creating zoning districts. B1 -Business was set up on FM 2004. He would hate for a business to be located in R-1 residential. He also spoke for Joan Tulloch who could not be here and for Larissa and Paul Manning, 210 Halbert. They could not be here due to illness.

John Cone, representing Clyde Cone, explained they were interested in making a quality place for day care or an assisted living facility. In his opinion, the best use for the building is office space and his goal is for it to remain as an office building. It would take a great deal of renovation to use the building for assisted living. They have been in business since 1957 and are responsible developers and they wish to do no harm to the city.

Councilman Beaty asked what type of guarantee we would have that it will remain as a business once re-zoned. Mr. Cone stated there is no guarantee. Their plan is to first market it as an office space with the hope of a day care or an assisted living facility in the future.

Tina Pettey, 131 W. Mahan, does not think that businesses should be located in a residential area. If a business is brought in, she feels her tax value will decrease. There is no guarantee that they will not sell it to another business venture. She stated there were a lot of other options, perhaps an extension of the park across the street.

Gerald Condict, 209 Halbert, stated he agreed with Ms. Pettey.

Michele Story, 214 Halbert, stated she did not support the rezoning of the property. She feels it will compromise the safety of the residents in the area. There are small children riding bicycles up and down the street. She asked how a business in the area could be compatible with growth. The noise level would be unacceptable. Though the intent is to market it as a quite office space, there is no real control over what it will actually be used for. She asked the Council to consider if they'd want this in their neighborhood.

Council thanked everyone for their attendance and their input. With that, the public hearing was closed at 6:20 p.m.

B. Variance request - rezoning 215 Halbert as B-1, Business

On motion by Councilman Pitts, seconded by Councilman Beaty, with all members present

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voting aye, it was duly adopted to deny the variance request to rezone 215 Halbert as B-1 Business.

C. Public hearing - request for setback requirements to build a storage building at 104 Audubon Woods Dr.

The public hearing opened at 6:23 p.m.

With no one present who wished to speak, the public hearing was closed at 6:24 p.m.

D. Variance request - variance to setback requirements for storage building at 104 Audubon Woods Dr.

On motion by Councilman Pitts, seconded by Councilman Raymond, Councilmen Raymond, Pitts, and Lacy voted aye. Councilman Beaty voted nay. Motion carried.

E. Public Hearing - FY 2014 Budget

The public hearing was opened at 6:35 p.m.

With no one present who wished to speak on the FY 2014 budget, the public hearing was closed at 6:36 p.m.

F. Ordinance No. 384 - adoption of FY 2014 Budget

On motion by Councilman Beaty, seconded by Councilman Lacy, with all members present voting aye, Ordinance No. 384, adopting the FY 2014 Budget was approved as presented.

G. Ordinance No. 385 - adoption of FY 2014 Tax Rate

On motion by Councilman Pitts, seconded by Councilman Raymond, with all members present voting aye, Ordinance No. 385, adopting the FY 2014 Tax Rate was approved as presented.

H. Presentation by Sharon O'Neill of Keep Richwood's accomplishments and projects

This has been moved to the September meeting.

I. Condition and repairs of roads, placement of street lights and spraying of mosquitos in Oakwood Shores - request by Zane Baggett

Mr. Patton reported that the County moved in to begin tilling up sections of roads in Oakwood Shores on Monday. Councilman Beaty reported there were 27 street lights in Oakwood Shores. Mayor Kocurek stated that we have spent over \$7,600 in street lights in Oakwood Shores in just the past few months.

Mr. Williams reported that the City has sprayed in Oakwood Shores 4 times this. The City

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focuses on the areas where most people live as it costs about \$1,200 to spray for about 2 hours.

Mr. Baggett explained that he rides a bicycle and the roads are in such bad shape, it makes it hard to ride. There is no access to some areas due to the damage and they are unable to walk at night due to the condition of the streets and the lack of street lights. Two of his sons have small cars and they have a problem getting into the driveway. He also stated there had been a problem with hunters in the area last year.

The City does have a plan to work on the roads. The drought has been a huge factor in the deterioration. We have spent over \$55,000 in materials in Oakwood Shores alone for road repair this year and today, two purchase orders for \$25,000 were issued for additional repairs.

The possibility of limiting contractors to using the second entrance was discussed. This would limit the largest portion of the damage to one area and would minimize any further damage to the main entrance.

J. Interlocal Agreement with Brazoria County - New City Hall Parking Lot

On motion by Councilman Beaty, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to enter into the interlocal agreement with Brazoria County to pave the new City Hall parking lot.

K. Contract for Distribution of Utility Tap Fees - Audubon Woods III, LLC

On motion by Councilman Raymond, seconded by Councilman Beaty, with all members present voting aye, it was duly adopted to approve the contract for distribution of utility tap fees with Audubon Woods III, LLC as presented. Under the contract, all water and sewer tap fees paid in AW III will be refunded to the developer since they installed the lift station in the area.

L. Policy on Take Home Vehicles

Mayor Kocurek briefed Council on the proposed changes to the take home policy. The proposed change will limit the take home vehicles to less than a 3 mile radius of City Hall. Proposed changes are as follows:

1. Only Department Heads
2. In the absence of Department Heads, next in command may take home vehicles if they live within 3 mile radius of City Hall.
3. Those employees who are on call and then only if they live within a 3 mile radius of City Hall.
4. Those employees that live within city limits may have take home vehicles authorized by the Department Head and okayed by the City Manager.
5. Must only be used for city business.
6. May not have civilian rider unless it pertains to city business.
7. At no time will city vehicles be used to transport family or friends.

Mr. Patton will work with Mr. Williams and Chief Caudle to tighten the proposed plan and have

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it ready for Council approval at the next meeting.

M. Accept bid for sale of 1.51 acres next to new City Hall

The City received 4 bids on the property. They are as follows:

Bidder	Amount
Apex Metals	\$48,000.00
Christi Beard	\$86,000.00
Gary Bullard	\$50,111.00
Lucinda Hurst	\$41,000.00

On motion by Councilman Beaty, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to accept the bid from Christi Beard in the amount of \$86,000.

N. Ordinance to remove the statutory maximum contribution rate limit for TMRS

Mr. Patton explained this would give the city more control over the funding. On motion by Councilman Pitts, seconded by Councilman Beaty, with all members present voting aye, it was duly adopted to adopt the ordinance to remove the statutory maximum contribution rate limit for TMRS.

O. Crime Control and Prevention District budget for FY 2014

Crime Control and Prevention District changed the budget allocation for FY 2014. The \$40,000 to be spent this year will be toward the new building rather than the police car. On motion by Councilman Beaty, seconded by Councilman Lacy, with all members present voting aye, it was duly adopted to approve the Crime Control and Prevention District budget for FY 2014

P. Ordinance No. 382, amending Section 20, Richwood City Code, to restrict the stopping, standing or parking of any commercial or oversized vehicle in a residential zone

Motion was made by Councilman Beaty, seconded by Councilman Lacy to adopt Ordinance No. 382, with Councilmen Raymond, Beaty and Lacy voting aye and Councilman Pitts voting nay. Motion carried.

Q. Ordinance No. 383, relating to the use of a wireless communication device for texting while operating a motor vehicle

On motion by Councilman Beaty, seconded by Councilman Pitts, with all members present voting aye, Ordinance No. 383, relating to the use of a wireless communication device for texting while operating a motor vehicle was passed as presented.

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R. Jail Contracts

On motion by Councilman Beaty, seconded by Councilman Raymond, with all members present voting aye, it was duly adopted to contract with the City of Oyster Creek for jail services beginning October 1, 2013.

S. Chapter 380 Program for Economic Incentives

This program will allow the City to create an economic committee to enhance our current efforts. On motion by Councilman Beaty, seconded by Councilman Pitts, with all members present voting aye, it was duly adopted to adopt Resolution 13-03 creating a Chapter 380 Program for Economic Incentives.

T. Change time of Council meetings to start at 6:00 p.m. on the second Monday of each month

On motion by Councilman Beaty, seconded by Councilman Raymond, with all members voting aye, it was duly adopted to change the time of Council meetings to start at 6:00 p.m. on the second Monday of each month.

U. Payment of bills

On motion by Councilman Pitts, seconded by Councilman Beaty, with all members present voting aye, it was duly adopted to pay the bills as presented.

V. Financial Report

Par for the period ending July 31, 2013 is 18% remaining. All the departments are within par except for Streets and Drainage which is overspent by 18%.

VI. **CITY MANAGER'S REPORT**

Mr. Patton stated that his goal is to move to the new building this weekend and he encouraged all members of Council to help with the move. We are still lacking stone and landscaping. The air conditioning system is 100%, electricity is over 90% done. Its possible we will be closed Monday and Tuesday of next week to finish the move. There is a plan to have two grand openings - one involving the Chamber of Commerce and 1 for the residents on a Saturday.

We are staying on track with road repairs in Oakwood Shores. The drought has brought on more water leaks but Public Works is keeping up with them. Our 5 man crew does a heck of a job.

Mayor and Council thanked Glenn for all his hard work. He has been involved in every stage from the beginning and has brought it to the end.

The CDBG sidewalks on Moore and N. Mahan are being put in. We have preliminary engineering on the sidewalks on Oyster Creek Drive.

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VII. FUTURE AGENDA ITEMS

Goals and Visions for the City in the upcoming year
Mayor Pro Tem
Plans for property at 215 Halbert

VIII. COMMITTEE REPORTS

There were none.

IX. MAYOR'S REPORT

Mayor Kocurek asked each member to put together ideas for future goals. He also reported that we will start moving this week into the new building and encouraged everyone to come help out on Saturday..

X. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:36 p.m.

APPROVED BY A MAJORITY VOTE OF COUNCIL ON SEPTEMBER 9, 2013.

Clint Kocurek, Mayor

ATTEST:

Karen B. Schrom, City Secretary