

CITY COUNCIL - SPECIAL CALLED MEETING

City of El Campo

315 EAST JACKSON STREET, EL CAMPO, TX 77437

City Hall - Council Chambers 4:30 PM - July 24, 2017

Meeting Minutes

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Title	Status	Arrived
Randy Collins	Mayor	Present	
Richard Young	Mayor Pro-Tem	Present	
Anisa Longoria Vasquez	Council Member	Present	
Jeff Allgayer	Council Member	Present	
Gloria Harris	Council Member	Present	
Tommy Hitzfeld	Council Member	Present	
John Hancock	Council Member	Absent	

City Staff Present: City Manager Mindi Snyder, City Secretary Lori Hollingsworth, Personnel Director Rene Garcia, Assistant Police Chief Gary Williamson, Public Works Supervisor Stephen Korenek, Planning Director Penny Hornsby, Utilities Director Jerry Lewis and EMS Director Chase Neilsen.

Media Present: News Editor Shannon Crabtree, El Campo Leader-News.

Guests: Steven Staff and Edwin Gangl.

3. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Randy Collins led the pledge of Allegiance and Mayor Pro-Tem Young followed with the Invocation.

4. PUBLIC COMMENTS

At this time, any person with city-related business, not scheduled on the agenda, may speak to the City Council. In compliance with the Texas Open Meetings Act, the City Council is limited to making a statement of specific factual information in response to the inquiry, or reciting existing policy, but may not discuss, deliberate, or take any action on any item. Each speaker will be limited to 3 minutes. The issue may be placed on a future agenda for consideration.

There were no public comments for items not on the agenda.

5. CONSIDERATION OF AND ACTION ON

1. Drainage Impairment Ordinance

The attached ordinance addresses the need for storm drain system protection and the damage caused by yard waste and other refuse. In an effort to alleviate residential and commercial flooding, this document attempts to clearly define the importance of keeping drainage areas free of debris. There is a proposed 30 day grace period during which a public information effort will be made to ensure that citizens understand the expectations. Enforcement will be by citizen and staff reporting and Code Enforcement investigation.

ORDINANCE NO. 2017-xx

AN ORDINANCE OF THE CITY OF EL CAMPO, TEXAS AMENDING CHAPTER 16, ENVIRONMENT AND SANITATION, ARTICLE I, IN GENERAL, SECTION 5, IMPAIRING DRAINAGE OF STREETS, DITCHES AND GUTTERS OF THE CODE OF ORDINANCES FOR THE CITY OF EL CAMPO TEXAS, BY REVISING SAID SECTION TO CLARIFY THE SPECIFIC INTENT AND VIOLATIONS EXPRESSED

HEREIN AND AMENDING THE APPENDEX A, CITY OF EL CAMPO FEE SCHEDULE.
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL CAMPO, TEXAS:

Planning Director Penny Hornsby gave a brief over view, stating this came up when a staff member witnessed an individual blowing yard waste and debris on to the street. Every city has this issue and several have already placed restrictions on blowing yard waste and debris on to streets and in drainage ditches. The streets are primarily for travel and secondly drainage, so when there is a lot of yard clippings and leaves, it results in impeded drainage flow and potential flooding. Planning Director Hornsby also stated that the storm water is not treated before it enters the waterways and all the debris, even organic material; really wreak havoc on the ecological system as a whole. Mayor Pro-Tem Young expressed this was a great idea and wanting to make sure a letter including, the final information would get sent to all the lawn services in our area. Planning Director Hornsby responded yes, absolutely. Council Member Harris feels it's a good idea; however she doesn't see the need for more ordinances that aren't going to be enforced. She also feels that it doesn't address cut trees and trash. Planning Director Penny Hornsby made reference to Sec. 16-5, 2, that states no person shall throw or deposit any garbage, trash, refuse or yard wastes in any watercourses or stream, pond body of water or ravine within the city. Mayor Collins states this is a great idea but would like to know how this will be enforced. Planning Director Penny Hornsby states code enforcement will investigate the complaints; there will be the thirty (30) day community outreach program for compliance, followed with warnings and then citations with fines. Shannon Crabtree from the El-Campo Leader News asked for clarification regarding the fines. City Manager Mindi Snyder responded with the final ordinance and fine schedule would be brought to Council at a Regular Meeting sometime in the near future. Council Member Hitzfeld made the request for there to be separate fines for home owners and lawn services companies. Mayor Collins would like this to be looked in to as an option. City Manager Mindi Snyder stated the thirty (30) days is flexible and was just a starting point.

Mayor Collins acknowledged the El Campo citizens that were here wishing to speak on this matter.

Edwin Gangl of 1407 Yupon Street El Campo, Texas, states he has a partially paved gutter and an open ditch. He mows the open ditch and leaves the grass clippings in the ditch which is ultimately the sewer. He states when the city mows, nothing gets picked up. He doesn't feel he should be subject to any fines for something he has always done. Mayor Pro-Tem Young responded, stating that he can assure him that we will re-work the wording on this and also stated that the concerns lies with those deliberately blowing yard debris into the streets and ditches, creating real issues for the storm sewer drainage.

Also here to speak is Steven Staff of 402 E. Strand El Campo, Texas, and he agrees with Council Member Harris and wonders why we are trying to add more regulations and ordinances. After listening to the previous comments and explanations he does see the need for it but is questioning when leaves fall naturally from the trees, which they do November through January, will the citizens be fined. He also wants to know if the city intends to fines itself for not maintaining and clearing ditches and alleyways from naturally falling debris. Mr. Staff states that for over two (2) years he has asked the city to clear the alley and ditch at E. Strand and Watt. He states when it rains that area always has standing water and that Mr. Harris and Stephen from Public Works have both driven out to see it. Mr. Staff also states he uses boxes to place leaves, shrub trimming and limbs out for pick up and when not picked up timely the boxes break down. He doesn't feel he should be fined for this. Council Member Hitzfeld responded to him with the response that there is the thirty (30) days once this is approved and that educating citizens and warnings would happen before any imposing fines.

Planning Director Penny Hornsby responded stating that the ordinance states, No Person Shall; this is for the individual that is deliberately and willingly places yard debris in the storm sewer drainage. Not for the occurrences of naturally falling limbs and leaves. Also, stating this is to get water flowing and having adequate drainage for everyone, all drainage is connected. Planning Director Hornsby also states that code enforcement is not going out to red card and impose fines on everyone; an investigation will take place and action taken after its proven. There will be eye witnesses, photographs or video.

Council Member Hitzfeld emphasizes that once the citizens realize how this has impacted the storm sewers and increased flooding potential, they will all be on board.

City Manager Mindi Snyder asked regarding the time of the educational grace period.

After a brief discussion the majority was in favor of the thirty (30) days, due to word already getting out and that it would be going to the Regular Council Meeting in August.

RESULT: NO ACTION REQUIRED

2. Special Event Permit

A Special Events, Block Parties and Parades Ordinance, Special Events Permit and fee schedule has been drafted to address the need for a clear process for current and future events which may require use of city facilities, streets, utilities, and security. The attached documents are the first draft, updated to reflect input from Public Safety, of documents staff plans to offer those interested in organizing an event in the city that will provide each with valuable information while ensuring City departments have the critical information they need to protect the community's health and safety. The Planning Department intends to assign a coordinator to all Special Event Permit applicants to assist them with the process and ensure a successful event.

Code of Ordinances: Chapter 43 - Special Events, Block parties and Parades.

City Manager Mindi Snyder acknowledges why this was brought to Council in the workshop format, because it's very comprehensive and staff wants their input and direction they wish to see this go.

Council Member Harris feel it's too much, she wants to see this for the block parties that having drinking in the streets, not for the First Baptist or St. Philips, these both already close streets certain times of the year and everyone is already use to it. She wants to know if now they would have to complete all this paper work and she states it is just too complicated. Council Member Harris also states that the only parade left is the Christmas Parade. Mayor Pro-Tem Young responded that if an organization wanted today to come and have a parade there is nothing place, no policy. They could ultimately just do it and we should want everyone to do it the right way, the safe way.

Planning Director Penny Hornsby stated that several weeks ago an organization contacted the city stating they wanted to have a concert in the park which would result in closed streets, food trucks and lots of people. Currently there are no city ordinances or policies in place, this is the time to make the effort to get in-front of this and be prepared. The ability to have a centralized coordinator for events will help facilitate the re-coop of using city electricity, public works, police officers, assuring adequate number of restrooms and hand washing stations.

Council Member Hitzfeld asking if there were other cities ordinances or policies studied on this subject. Planning Director Penny Hornsby stated that she studied Bay City and Wharton. She also noted that Bay City was more complex and restrictive when compared to Wharton. She also stated that securing a deposit is just in case something where to happen and that when an organization is having a special event the whole community isn't paying for it.

Mayor Collins asked Planning Director Penny Hornsby to walk through two (2) scenarios with him. The first being he wants to have a neighborhood block party blocking off from Alvin to Aaron Street on Ave. C. For all neighbors, one hundred (100) or less, tables in the street, food, beer, wine, tea and closing the street. Planning Director Penny Hornsby responded that this would be an exempt event, which would require notifying emergency services, police department and completing the information sheet for the city. Mayor Collins for his second scenario has an empty lot next to his business and wants to have an outdoor public event showcasing local artist. No charge to the public, not going to serve any alcohol but will set up a stage and sound. Planning Director Hornsby responded by asking about a street closure and where would everyone park. Mayor Collins responded with street parking and some may be across business 59. Planning Director Hornsby stated that there needs to be a site plan for parking, would anything be being filmed, inspection and verification of the stage and sound equipment would be needed. Mayor Collins asked what his fee would be for one hundred (100) or less people. Planning Director Penny Hornsby stated a refundable two hundred and fifty dollars (\$250.00). Mayor Pro-Tem Young wanted clarification as to why this wouldn't be considered an extension of someone's business,

that call it a sale or an event if it's contained within their business we just can't interfere and charge them a fee. Planning Director Penny Hornsby agreed stating if it's an event promoting your business contained on the business property than its exempt, however when you add street closures and amplification it would need a permit.

After lengthy discussion it was determined that each special event will be looked at on an individual basis.

Council Member Hitzfeld asked if Council could review this information and submit changes to either City Manager Mindi Snyder or Planning Director Penny Hornsby and all were in agreement.

RESULT: NO ACTION REQUIRED

3. Alcohol in Parks

Staff met with Terry Stanphill and Gary Williamson to discuss the current code regarding the consumption of alcohol in City parks. There has been a marked decrease in alcohol-related crime in and around City parks since the amendment to the ordinance prohibiting alcohol in the parks. The police department stated that portions of the current ordinance (50' of playgrounds, 10' of covered pavilions) are difficult to enforce, and anything more complicated would not be advisable. PD suggested leaving the ordinance as is, or amending it to apply to Legacy Park only, since it is close to school property.

ORDINANCE NO. 2015-09

AN ORDINANCE OF THE CITY OF EL CAMPO, WHARTON COUNTY, TEXAS, PROVIDING THAT SECTION 28, ARTICLE 2, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF EL CAMPO, TEXAS, BE AMENDED BY PROVIDING FOR A POLICY ON POSSESSING AND CONSUMING ALCOHOLIC BEVERAGES, AND SALE OF ALCOHOLIC BEVERAGES, IN CITY PARKS AND AQUATIC CENTER; ENACTING OTHER PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE: AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Mindi Snyder gave a brief re-cap stating, alcohol was allowed in the parks until Legacy Park and the amended existing ordinance is attached for your review along with the park pavilion rental agreement and the alcohol in the parks permit.

Mayor Pro-Tem Young states that the Police Department reports things have been good. City Manager Mindi Snyder responds correct, a reported decrease in calls and incidents.

Council Member Harris states the two (2) items, that it's good but some parts are hard to enforce and if we change that and go back to drinking in the parks except Legacy Park.

Assistant Police Chief Gary Williamson states that it is difficult to enforce the footage from pavilion and play equipment. He also states that there has been a reduction in calls and complaints. The majority of calls were from Friendship Park. Council Member Harris responds because all of them have moved to Willie Belle Park. Assistant Chief Williamson states that they haven't received calls from Willie Belle. Council Member Harris states it's because the ordinance allows them to drink in Willie Belle and Rotary Park if you're a sports organization. She also feels that it isn't right for out of town organizations to be allowed to drink in the parks that her tax dollars go to. She states that the adult soccer teams can drink in Willie Belle, softball and baseball in Rotary and if there is a basketball tournament at the Pavilion in Willie Belle they can drink, but she can't sit on the bleachers in the park and drink.

Mayor Pro-Tem Yong agrees with Council Member Harris, and has wondered if it should be looked at like the civic center rental and requires security with alcohol. Assistant Chief Williamson states that the recent soccer tournaments at Willie Belle Park have requested and paid for security. Mayor Pro-Tem Young asked Assistant Chief Williamson if he would recommend requiring security. Assistant Chief Williamson responded that it would be the best case scenario, but if they are required to pay for security will they continue to have tournaments here is the question. Mayor Pro-Tem Young also states if you prohibit the alcohol would they still have the tournaments and he feels it doesn't seem right for the sports teams can but that if you rent a park for a

family reunion you can't. Mayor Collins inquired as to the cost for the special permit fee in the parks. Response was it's an additional twenty five (25) dollars to the park or pavilion rental. Council Member Vasquez feels the exceptions section of Ordinance No. 2015-09 should be amended and #1 and (a) should be removed and special use permit for alcohol in the parks added for everyone. She wants the parks to remain family oriented places. Mayor Collins offered Mrs. Ann Owens and Ms. Helen Ward from the audience to speak regarding this item. She states she has rented the basketball pavilion in Willie Belle Park for a family reunion and wants to know where they are allowed to drink. Assistant Chief Williamson stated that drinking was allowed under the pavilion and for ten (10) feet around, to allow spectators to drink as well. She feels that isn't right and that anyone should be able to drink anywhere in any park. Council Member Harris wants to amend this ordinance to only pertain to Legacy Park. Mayor Collins feels that parks are for family and the few that would over indulge is not the image he wants for our parks. Mayor Collins felt this was continuing to go in circles there was a brief discussion and a poll of Council Members is was recommend for staff to work on an amendment and bring item back at a later date. Majority would like to see the exceptions removed and the special permit for alcohol in the parks be required for everyone, including the adult sport leagues.

RESULT: NO ACTION REQUIRED

4. Willie Bell Improvements

Texas Parks and Wildlife sponsors a Local Park Grant Program. The program provides 50% matching grants on a reimbursement basis with an application deadline of October 1st. Staff is considering several improvements for Willie Bell park, including paving, bridge repair, privacy fencing, and parking bumpers. Additional considerations could include new signage, additional playground equipment, repaving the walking trail, etc. Suggestions are requested at this time as we collect quotes on the various projects. Paving material only estimate attached.

After a brief discussion Council is in agreement to get estimates for all the options listed and then make selections for final cost estimate. This will be brought back to Council.

RESULT: NO ACTION REQUIRED

5. Site Plan for Property after Demo

The process of closing down the former PS building is underway. Final server and communications move scheduled for 7/19/17, but as of 7/20/17 there is still some equipment that needs to be moved. Salvage of some interior items and HVAC units for possible use at other City buildings will commence soon. Staff requests direction from Council on the course of action with regard to the building site. The building can be demolished and the site left cleared until a use can be determined later, or the re-construction of the site post-demo can be included in the bid announcement.

This agenda item was also on the Regular Council Meeting agenda and will be addressed in that meeting. July 24, 2017 6:30 PM

RESULT: WITHDRAWN

6. ADJOURN

Attest:

Lori Hollingsworth, City Secretary

Randy Collins, Mayor