



## **City of Pattison**

**P.O. Box 223**

**Pattison, TX 77466**

**281-934-3715**

**Website: [www.pattison.texas.gov](http://www.pattison.texas.gov)**

**City Council Meeting Minutes: January 7, 2020**

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### **I. Call Meeting to Order**

A regular meeting of the Pattison City Council was called to order by Mayor Joe Garcia at 7:00 p.m. in the Royal ISD Administration Building, located at 3714 FM 359, Pattison, Texas 77466.

#### **Members Present:**

Mayor Joe Garcia, Councilmember: Wayne Kircher, Robert MacCallum, Frank Cobio and Fred Branch

Councilmember Seth Stokes excused absence.

**Also, Present:** City Attorney, Lora Lenzsch; City Secretary, Christa Molloy; Planning Commission Chair Rick MacDonald;

### **II. Pledge of Allegiance**

Mayor Garcia asked Councilmember MacCallum to lead the pledges.

### **III. Citizens Comments – No action can be taken:**

None

### **IV. Council to approve agenda**

Mayor Garcia asked for a motion for the Council to approve the agenda as presented.

Councilmember Kircher made a motion that the agenda be approved as presented, seconded by Councilmember MacCallum. The motion passed unanimously.

### **V. Declare Conflicts of Interest**

None

### **VI. Consent Agenda**

Items listed under the consent agenda are considered routine and are generally enacted in one motion. There will be no separate discussion of these items unless a councilmember requests one or more items to be removed from consent agenda for a separate discussion and action.

**A.** Consent and approval of Minutes from the December 3, 2019 regular meeting.

**B.** Consent and approval of the finance report for Fiscal year 2019 and January 2020.

**C.** Consider and approval of checks paid and payables.

Mayor Garcia sought a motion to approve the Consent Agenda. Councilmember MacCallum made the motion that the Consent Agenda be approved as presented. The motion was seconded by Councilmember Branch. The motion passed unanimously.



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### **VII. Business**

1. Discuss and taken action a resolution adopting a 2020 public funds investment policy.

Mayor Garcia asked the City Attorney to summarize the resolution. The City Attorney shared that it is an annual requirement that the Council review and adopt or readopt a Public Funds Investment policy and that the current resolution and policy have not changed from the previous year.

Mayor Garcia asked for any discussion and motion to approve the resolution. Councilmember Branch moved that the City Council adopt the 2020 public investment policy as presented for the year 2020. Seconded by Councilmember Cobio, the motion passed unanimously.

2. Council to discuss and taken action, if any, Ordinance 128 on a Planning Commission

Mayor Garcia shared that Ordinance 128 was a culmination of several ordinances relating to the Planning Commission. This ordinance provides one ordinance and some additional clarity as it relates to the Planning Commission. Discussion ensued from Councilmembers about whether anyone from the City's Extraterritorial Jurisdiction (ETJ) might be able to become a member of the Planning Commission. After input from the City Attorney it was decided that the Planning Commission members should be actual City of Pattison property owners and that the City Council could revisit the issue of Planning Commission appointment from someone in the ETJ if the matter comes up in the future. Mayor Garcia asked Planning Commission Chair, Rick MacDonald, for his feedback. Rick MacDonald stated that the consolidation of all the previous ordinance made things much clearer for the Planning Commission moving forward.

Mayor Garcia asked for a motion to approve the Ordinance. Councilmember Kircher moved that the City Council approve Ordinance 128 as presented. Seconded by Councilmember MacCallum, the motion passed unanimously.

3. Council to discuss and take action, if any, reviewing the current Ordinance 123 Prohibiting Manufactured Homes.

Mayor Garcia asked the City Attorney to summarize the revisions that have been made to the current ordinance after discussions with Mayor Garcia and Planning Commission Chair MacDonald. The City Attorney shared that her highlighted areas were marked to address questions from the Mayor Garcia and Rick MacDonald. The red lined areas are seeking clarifications or rewording so that things are clearer. As example, the City Attorney stated that currently the application period is 180 days but highlighted for the City Council to consider changing to make it shorter. Some language about natural gas providers was deleted as the City of Pattison does not have that here. The City Attorney asked Council to review the ordinance and provide any comments or questions to the City Secretary so that she could forward them for review and consideration for incorporation. Mayor Garcia reiterated to the Council the need to review and provide their input so that



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we can have the right rules in place to enforce as the City continues moving forward. Mayor Garcia stated that he wanted to include this on the next agenda. Councilmember Kircher asked for clarification on whether this ordinance would apply to the ETJ. The City Attorney responded that the City can regulate platting and subdivisions in the ETJ, but the ordinance would not be able to prohibit placements in the ETJ. As example was if a Mobile Home Subdivision in the ETJ was proposed, they would fall into the Subdivision ordinance and would have to comply with some of the requirements. The City Attorney shared that the recent State Legislative session took away some of the authority of what municipalities can regulate in the city limits and the ETJ. Cities can still establish lots sizes, setbacks, road width and parking and which would apply for the most part to the ETJ as well.

After discussion, no additional action was taken.

#### **4. Council to discuss and taken action, if any, on the Morton/Durkin Road Clean Up**

The City Secretary provided a report on the number of items picked up and costs of the clean up from the recent Morton/Durkin Road clean up on Saturday, December 7, 2019. Mayor Garcia shared that he wanted to schedule another clean up day this spring and work closely with our community partners. Councilmember Kircher asked about setting up “No Dumping Signs” as a deterrent. As a follow on he also asked if the City has an ordinance making dumping trash illegal. Mayor Garcia asked the City Attorney to investigate and provide an update and/or draft an ordinance for review at the next City Council meeting. Mayor Garcia shared with the Council that he has had some discussion with one of the property owners on this section of Morton Road about widening this road.

Councilmember MacCallum asked that the information from this report of the cost and possibly pictures be added to the City website to keep the community members informed as the cost of the cleanup.

The City Secretary shared that one of the Community Service probationers who assisted in this clean up mentioned living in Pattison and would like to serve their community service in helping Pattison. The City Secretary will follow up with the District Attorney’s office on how we might be able to have this individual provide that service to the City.

#### **5. Council to discuss and take action on Streetlights for Ave B.**

Mayor Garcia asked Councilmember Cobio to discuss this agenda item. Councilmember Cobio mentioned that it was extremely dark in this area and that cars can be parked there, and you cannot see them. He felt that it provided for an unsafe environment. Mayor Garcia asked for additional information and that this be brought back to the next meeting for additional discussion.



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6. Council to discuss and taken action on Resolution approving the mayor to contract for the removal of 14 cracked culverts located on the north shoulder of 6<sup>th</sup> Street.

Mayor Garcia provided background that in 2017 the contractor for the drainage project did not remove 14 cracked culverts and that had been left on the shoulder of 6th Street. The City Secretary shared that the City Engineer indicated that they would not be usable for any future use by the City due to the cracks and are considered surplus items.

Mayor Garcia asked for a motion on this item. Councilmember Cobio moved that Mayor Garcia contract for the removal of the 14 surplus culverts. Seconded by Councilmember MacCallum. The motion passed unanimously.

7. Council to discuss and take action on 2020 meeting dates.

The City Secretary shared that the dates for the November meeting had been changed from the first Tuesday in November to the second Tuesday due to the conflict with the elections. The City Secretary was also able to update the day for the annual Take Back and Shred Day for Saturday, April 25.

Mayor Garcia asked for a motion on the proposed 2020 meeting dates. Councilmember MacCallum moved that the dates for 2020 meetings and events be approved as presented. Councilmember Kircher seconded. The motion passed unanimously.

8. Report from the City Secretary on permits, website updates, Drainage Project, Pothole Project; and Speed Limit Changes.

The City Secretary reported that she had purchased a new laptop computer and that the Mayor and City Secretary had received and have begun using the City cellphones. The City Secretary had completed the required 10 hours of Public Funds Investment training. A residential permit had been approved for a property on North Street along with a culvert request for Clapp Road. TXDOT is still working to change the speed limit signs. The drainage project is still ongoing and that a citizen complaint about this project had been addressed by Mayor Garcia and the City Engineer.

9. Request from council for future agenda items and upcoming community events.
  - a. Houston Galveston Area Council Livable Centers and Texas Scenic Community Presentation, Thursday, January 16 at 7:00 PM

Mayor Garcia reminded the City Council members of the upcoming presentation by H-GAC on Livable Centers and the Texas Scenic Community Program at the Planning Commission meeting and encouraged their participation.

Mayor Garcia shared that he expected future agenda items on the Subdivision ordinance and interlocal agreements regarding emergency management.



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Councilmember Kircher asked for an agenda item to address the rusting LP tanks sitting at Durkin and FM 359 as he has received citizen complaints. Councilmember MacCallum asked that the Council consider an ordinance to deal with livestock and large animals in the city limits.

**VIII. Executive Session**

City Council will meet in Executive Session pursuant to Texas Government Code, Chapter 551, Section 551.071 for consultation with the City Attorney for the purpose of discussing:

- a. pending or contemplated litigation and/or
- b. 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.

City Council convened to Executives Session at 7:50 p.m.

**IX. Reconvene**

City Council reconvened from Executive Session at 8:05 p.m.

No action taken from Executive Session.

**X. Adjourn meeting**

The meeting was adjourned at 8:06 p.m.

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**Mayor, Joe Garcia**

**Attest:**

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**City Secretary, Christa M. Molloy**