

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 8<sup>th</sup> day of January, 2008 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway, Mayor Pro Tempore  
Vickie Abrego, Council Member  
Karen Mayer, Council Member  
Frank Hametner, Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: Tom Ginter, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Darrel Jones, Police Chief  
Bill Haines, Assistant Police Chief/Harbormaster  
Frank Truitt, City Inspector

OTHERS PRESENT: Ralph & Lu Arcemont, Joe & Joshua Robles, Tray Bates, Jim & Alpha Covington, Jeanie & Don Brummett, Terry Reynolds/Clearwire, Kevin Motto, Ron & Vick Coble, Mark Maroney/Clearwire, Jim Garner, Vernon Bates, Rosemary Vega/Chamber of Commerce, Courtney Figueroa, Cecil Robles, Olivia Shedd, Robert Cohen

*There may have been others present who did not sign in.*

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on January 8, 2008.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

**ITEM 3. CONSENT AGENDA:** *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

A. Approval of Minutes of December 17, 2007.

B. Consider and Act on Approval of Ordinance 2007-3931 – Renewal of the Conditional Use Permit for a transmission auto repair shop at Lots 27-31, Block 521, 752 N. Commercial, Old Town Site, City of Aransas Pass, Texas, Subject to conditions set forth.

C. Consider and Act on Approval of Ordinance 2007-3932 - Granting a Conditional Use Permit for Used Car Sales at 811-B S. Commercial, City of Aransas Pass, Texas, Subject to conditions.

Mayor Pro Tempore Attaway made the motion to approve the Consent Agenda. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 4. CONSIDER AND ACT ON APPROVING AMENDMENT TO CLEARWIRE AGREEMENT.**

City Manager Tom Ginter stated Clearwire Communications was requesting an amendment to their agreement with the City to add an additional communication device to the City's water tower on Wilson Street.

Mr. Terry Reynolds with Clearwire stated his company provided wireless internet service in the local area and the company needed to add a two-foot microwave dish to the present equipment on the water tower to enhance coverage of the local service area.

The City Manager asked Mr. Mark Maroney with Urban Engineering if he saw a problem with the installation of the additional two-foot dish to the water tower.

Mr. Maroney stated he saw no problem as the weight of the dish was 18 pounds and the antenna would be attached in such a way that it did not stress the corroded area of the water tower.

The City Manager stated Clearwire would pay an additional \$100.00 per month lease fee.

Mayor Pro Tempore Attaway made the motion to approve the amendment to the Clearwire agreement with the additional payment of \$100.00 per month. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 5. PRESENTATION BY URBAN ENGINEERING PERTAINING TO CITY OF ARANSAS PASS WASTEWATER TREATMENT PLANT.**

The City Manager stated Texas Commission on Environmental Quality (TCEQ) had inspected the wastewater treatment plant (WWTP) and found several issues, primarily safety, that needed to be corrected. He stated to insure the City repairs the WWTP properly, Mr. Maroney with Urban Engineering was present to explain the details. He stated the Council had the report and pictures. He stated the Council needed to be informed as to the extent and cost of the repairs. He stated repairing the WWTP would be brought back before the Council as a consider and act item.

Mr. Maroney explained the original WWTP was being used for sludge storage. He stated the condition of the structure above the water line is in poor condition and in need of repair. He stated TCEQ had noted the problem. He stated there was a safety issue with the walkway corroding and grass and debris around the tank that TCEQ wants removed. He stated he recommended removing the steel walkway and weir which must be done by a crane. He recommended taking bids for the removal work.

The City Manager stated the total estimate for the work was \$40,000.00 to \$45,000.00. He stated to save money, City employees would complete some of the work. He stated the goal was to make a safe work environment and bring the WWTP up to TCEQ standards.

Discussion followed regarding the history of the WWTP, the lack of repair and maintenance in the past, and attention to other infrastructure and equipment in the City.

**ITEM 6. CONSIDER AND ACT ON APPROVING THE VISION STATEMENT AND GOALS FOR THE DEVELOPMENT OF CONN BROWN HARBOR.**

The City Manager discussed the vision and goals from the charrette presentation and stated he had taken the vision statement from that presentation. He stated that was a place to start and welcomed any discussion or suggestions. He stated a guideline and a benchmark was needed so decisions could be made to reach the goals for the development of the harbor. He stated the vision and goals statement was an important first step in developing the harbor.

Guiding Vision for Future Development

- Productive: Financially productive providing an asset to the local economy.
- Distinctive: Retain the cultural distinctiveness of the coastal area, through architectural theme, design guidelines that reflect and express the City's heritage.
- Diverse: Economically diverse by including a rich variety of land uses to support marine industries as well as tourists and sportsmen.
- Attractive: Build on the natural beauty of the coastal location by developing guidelines for design of the infrastructure and protection of natural resources.

Goals for the Development of Conn Brown Harbor

1. Maintain Public Access to the Harbor.
2. Develop Productive Uses of the Land.
3. Respect and Nurture the Heritage of Aransas Pass.
4. Protect and Enhance the Environment.
5. Promote Destination Tourism.
6. Attract Employment Opportunities to the Community.
7. Create a Positive Community Image.
8. Create Strong Connection between the Harbor and the Central Business District.
9. Minimize Conflicts between Truck Traffic and Other Vehicles.

Council Member Hametner made the motion to approve the vision statement and goals for the development of Conn Brown Harbor. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 7. CONSIDER AND ACT ON APPROVING RESOLUTION NO. 2008-594 DESIGNATING OFFICIALS AS BEING RESPONSIBLE FOR THE CITY IN DEALING WITH TEXAS**

**PARKS & WILDLIFE (TPW), FOR THE PURPOSE OF PARTICIPATING IN THE TEXAS RECREATION AND PARKS ACCOUNT SMALL COMMUNITY GRANTS PROGRAM (HEREINAFTER CALLED THE PROGRAM); CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT'S MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES. THIS PROJECT IS FOR UPDATING THE LIGHTING FOR THE SENIOR BASEBALL FIELD.**

The City Manager stated the TPW had a grant for small communities that can be used for improvements to parks. He stated the grant was for \$100,000.00 with a 50% match from the City (\$50,000.00). He stated he proposed the City improve the lighting on the Senior Baseball Field in Community Park to meet Little League specifications.

Mr. Rudy Abrego stated an average of 300 kids per year used the baseball fields, but the number of senior players, age 14 through 16, had declined in the last three years. He stated the upgraded lighting on the field would attract more players and make the field safer. He stated the Little League organization could cancel the City's charter if the fields were not regulation.

The City Manager stated when the City's Senior Field reaches Little League specifications, Little League tournaments can be held on the field. He stated if Little League tournaments draw people who stay overnight in local motels, hotel/motel tax can be used to promote those tournaments.

Mayor Pro Tempore Attaway stated the Coastal Bend Foundation would contribute some funds to the project.

Council Member Mayer asked when would the grant be approved?

The City Manager stated it would be in August 2008.

Council Member Abrego made the motion to approve Resolution No. 2008-594 designating officials as being responsible for the City in dealing with Texas Parks & Wildlife (TPW), for the purpose of participating in the Texas Recreation and Parks Account Small Community Grants Program; certifying that the Applicant is eligible to receive Program assistance; certifying that the Applicant's matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 8. CONSIDER AND ACT ON AWARDING BID FOR POLICE DEPARTMENT 911 EQUIPMENT.**

The City Manager stated the only bid received was from Verizon for \$68,801.97. He stated the cost of the 911 equipment and installation would be paid from the E911 budget.

Council Member Mayer made the motion to award the bid for Police Department E911 equipment to Verizon for \$68,801.97. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 9. DISCUSSION REGARDING DOCKING FEES AND PRESENT DOCKAGE USE IN CONN BROWN HARBOR.**

The City Manager stated as a result of JBS Packing giving up some of their ground lease, two issues have been presented. There are 10 to 15 boats that have docked on JBS leased ground, dockage must be discussed for those boats and second, there is no ordinance that addresses docking fees for long time or monthly dockage. He stated Harbormaster Haines had compiled a survey of the area dockage fees charged by coastal cities.

Harbormaster Bill Haines stated the dockage fees for coastal cities ranged from a high in Rockport and Corpus Christi with San Patricio Navigation District charging the lowest fees. He stated like Aransas Pass, Palacios leased the ground space and the lessees could charge dockage fees, but Palacios is considering renting dockage space in the future.

Discussion was held regarding rental agreements for dockage space, preparing a schedule of fees, setting docking rates, collecting fees, issuing permits, payment of fees, monitoring boats docking in the harbor, reserving dock space, and condition of the docks.

**ITEM 10. REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:** *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal*

action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.

The City Manager announced the City's Aquatic Center was awarded the Texas Public Pools Council's Class Three Agency of the Year. He stated the Class Three Award is for cities with a population of 50,000 and under. He stated thanks should go to Pool Director Bonney Maurer and her staff for the good job they do with the pool, as well as the Aransas Pass Municipal Development District.

The City Manager stated an article in the Port Aransas South Jetty newspaper indicates that Port Aransas is concerned that the progress Aransas Pass has made in cleaning up the harbor and general improvements in our city will attract tourism away from Port Aransas. He stated it was a very positive article for Aransas Pass.

Mr. Robert Cohen made complaints regarding cleanup in the city and road repairs.

Council Member Hametner stated clean up was a joint effort between property owners and the city.

Discussion was held regarding trash pick up.

**ITEM 11. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:53 p.m.

- A. Section 551.072 Deliberations Regarding Real Property-Conn Brown Harbor Leases.
- B. Section 551.074 Deliberations Regarding Personnel – Appointment of Municipal Prosecutor and Municipal Judge.

**ITEM 12. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened into Open Session at 8:44 p.m.

- A. Section 551.072 Deliberations Regarding Real Property-Conn Brown Harbor Leases.

Mayor Pro Tempore Attaway made the motion to hold JBS Packing to their current contract and all obligations to the City and the obligations to be met by January 15, 2008. Council Member Hametner seconded the motion and the motion carried unanimously.

- B. Section 551.074 Deliberations Regarding Personnel – Appointment of Municipal Prosecutor and Municipal Judge.

Mayor Pro Tempore Attaway made the motion to accept the resignation of Judge Donna Cox as Municipal Judge; to appoint Mike Sullinger as the Interim Municipal Court Judge; appoint Ms. Cox to the position of Municipal Court Prosecutor at the same pay rate as the former Municipal Court Prosecutor (\$1,000.00 per month); and to authorize the City Manager to advertise the position of Municipal Court Judge. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 13. ADJOURNMENT OF MEETING.**

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:52 p.m.

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Tommy Knight, Mayor

ATTEST:

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Ada Owens, City Secretary