

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING 6:30 p.m., Tuesday, September 27, 2022 Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 27th day of September 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center and notice of meeting giving time, place, date, and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Tim Jayroe
Mayor Pro-Tem Andrea Hattman, Ward 4
Council Member Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

PLANNING & ZONING COMMISSION MEMBERS PRESENT

Kim Hesley
Thomas Blazek
Ruth Davis

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry – *Via ZOOM*
City Secretary Teresa Valdez
City Attorney Roxanna I. Pérez Stevens – *Via ZOOM*
Director of Finance Katie Griffin
Parks & Leisure Services Maintenance Superintendent George Bennett
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Director Bob Argetsinger
Police Chief Greg Stevens
Police Captain Nathan Anderson
Police Captain Nathan Garcia

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, September 27, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

Mayor Jayroe gave an invocation for Florida and its residents as Hurricane Ian was approaching them and expected to make landfall as a Category 4 hurricane.

2. Pledge of Allegiance.

Mayor Pro-Tem Hattman led the Pledge of Allegiance to the U.S. flag.

3. Proclamation: National 4-H Week – October 2-8, 2022.

Mayor Jayroe read a Proclamation proclaiming October 2-8, 2022, as National 4-H Week in Rockport, Texas. Mayor Jayroe presented the Proclamation to 4-H Ambassadors and Aransas County Extension Agents, Megan Glidden and Virginia Easton-Smith.

4. Recognition: Dianne Nielsen – Texas Association for the Education of Young Children Advocate of the Year award.

Mayor Jayroe invited Dianne Nielsen to join him at the front of the dais. Mayor Jayroe recognized Dianne Nielsen for being awarded the Advocate of the Year by the Texas Association for the Education of Young Children.

5. Presentation: Promotions in Police Department.

Chief of Police Greg Stevens stated Detective David Gerloff is promoting to Lieutenant and Patrol Officer Juan Canales is promoting to Detective. Chief Stevens read the bios of the officers. Chief Stevens ceremoniously presented the newly promoted officers with new credentials and public recognized their promotions in the presence of family and friends.

6. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any Agenda item or any subject matter, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Mary Ann Pahmiyer, 406 South 6th Street, Fulton, addressed the Council. Ms. Pahmiyer invited everyone to the Fulton National Night Out celebration on October 4, 2022, at 6:00 p.m. at the Fulton Convention Center. Ms. Pahmiyer said there will be an information booths for voter registration, Parks and Wildlife, Drug dog demonstration, Code Red, Crime Stoppers, United Health, and Boy Scouts.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 7. Deliberate and act on approval of Regular Meeting Minutes of September 13, 2022.**
- 8. Deliberate and act on request from First Assembly of God church for closing of East Laurel Street from North Live Oak Street to North Church Street on October 31, 2022, from 5:00 p.m. until 8:00 p.m. for First Assembly of God's Fall Festival.**
- 9. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Aransas County Council on Aging for the 2021 Bountiful Bowl Pottery Fair.**
- 10. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Center for the Arts for advertising and tourism promotion.**
- 11. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Cultural Arts District for advertising and tourism promotion.**
- 12. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Friends of the Fulton Mansion State Historical Site for advertising and tourism promotion.**
- 13. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for advertising and tourism promotion.**
- 14. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2022 HummerBird Celebration.**
- 15. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2022 SeaFair Celebration.**
- 16. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Yacht Club for the 2023 Nautical Flea Market.**
- 17. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Texas Maritime Museum for advertising and tourism promotion.**
- 18. Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for advertising and tourism promotion of Bay Education Center.**
- 19. Deliberate and act on report from Pan American Civic Association for marketing expenditures made for 2022 The Little Bay Labor Day Music Festival.**

Mayor Jayroe called for requests to remove any item from the Consent Agenda for separate discussion.

MOTION: Council Member Jackson moved to approve the Consent Agenda Items, as presented. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

Public Hearing

20. Call to Order – Rockport Planning & Zoning Commission.

Planning & Zoning Commission Chair Ruth Davis informed the Council there was not a quorum of members present.

City Manager Vanessa Shrauner requested the City Council conduct the Public Hearing because the applicant is in a loop-hole and time is of essence. Ms. Shrauner stated the Planning & Zoning Commission will also conduct a Public Hearing at their meeting.

Mayor Jayroe opened the City Council Public Hearing at 7:00 p.m.

21. Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit to allow the use of a manufactured home on the property, while they rebuild their home that was recently burned, located at 157 Kluge Trail; also known as McCombs, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas and currently zoned R-1 (1st Single Family Dwelling District).

Community Planner Carey Dietrich addressed the Council and stated the applicant’s home recently burned and they are requesting a Conditional Use Permit to allow the use of a manufactured home on the property while they rebuild their home.

Property owner Richard Kretschmann addressed the Council and stated he appreciated the City Council accommodating him by having the Public Hearing tonight. Mr. Kretschmann said his home burned in February and he moved his family of five into a manufactured home. Mr. Kretschmann expressed he learned the hard way that the property was zoned R-1 and a Conditional Use Permit was required to place a manufactured home on the property.

Ms. Dietrich said the Planning & Zoning Commission will conduct a Public Hearing on this on October 10, 2022.

Mayor Jayroe closed the City Council Public Hearing at 7:03 p.m.

22. Adjourn – Rockport Planning & Zoning Commission.

There was no adjournment of the Rockport Planning & Zoning Commission due to the lack of quorum.

Regular Agenda

23. Deliberate and act to reject all bids received on, or before August 31, 2022, for the Nassau Drive Bulkhead replacement.

Building & Development & Public Works Director Mike Donoho addressed the Council. Mr. Donoho said on August 31, 2022, bids for the Nassau Drive Bulkhead Replacement project were opened and reviewed. Mr. Donoho informed the Council the only bid received was from Derrick Construction and it has been determined that the total base bid submitted did not fall within an acceptable price range compared to the Engineer's estimate for the project. Mr. Donoho stated staff recommends rejecting the bid and rebidding the project.

Council Member Hale asked if there was a cost match on this project. Council Member Hale stated it was the City's obligation to follow the most stringent process possible.

Mr. Donoho answered there was not a cost match on this project.

MOTION: Council Member Hale moved to reject the bid received from Derrick Construction Company, Inc. for the Nassau Drive Bulkhead Replacement project. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

24. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Council Member Hale said she appreciated the support for the 4-H and it was great to see community support.

Council Member Brundrett said the City Manager met with the Short-term Rental Alliance and received good feedback and he believes we are on the right track with the ordinance. Council Member Brundrett thanked Parks & Leisure Services Director Rick Martinez for his time with the City.

Mayor Pro-Tem Hattman said she attended the Chamber Luncheon and she appreciated City Manager Shrauner speaking at the Luncheon. Mayor Pro-Tem Hattman reminded everyone Seafair is next weekend and she encouraged everyone to attend and enjoy themselves.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

25. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and 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:
1) Burnside Services, Inc., and 2) Concho Street Drainage Project.**

At 7:05 p.m., Mayor Jayroe convened the Rockport City Council into an executive session pursuant to Government Code Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and 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: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.

Open Session

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

At 7:45 p.m., Mayor Jayroe reconvened the Rockport City Council into open session pursuant to the provisions of Chapter 551 of the Texas Government Code.

26. Adjournment.

At 7:45 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Council Member Brundrett. Motion carried unanimously.



APPROVED:


Tim Jayroe, Mayor

ATTEST:


Teresa Valdez, City Secretary