



CITY OF SUNRISE BEACH VILLAGE to

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Sunrise Beach Village, Texas 78643-9283

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Tommy Martin, Mayor
Fred Butler, Mayor Pro-Tem
Hank Gath, Council member
Dan Gower, Council member
Mike Byrd, Council member
Ruth Stanley, Council member

Stated Council Meeting Minutes

A stated meeting of the above-named council was held on July 19, 2018 at 2:30 p.m. at the Civic Center, 124 Sunrise Drive, Sunrise Beach Village, Texas 78643-9283.

1. Call to Order and Establishment of Quorum.

Mayor Martin called the meeting to order at 2:35 p.m. declaring that a quorum was present. Council members present were Fred Butler, Dan Gower, Mike Byrd and Ruth Stanley. Council member Hank Gath was not in attendance. There were eleven (11) audience attendees present. Also, in attendance was City Secretary Linda Wendling, Code Enforcement Officer Danyelle Morgan, Sargent Ronnie Bowman, and Comptroller Sandy Peshorn.

2. Citizens to be heard.

- Carrie Pickering with Linebarger, Goggan, Blair, Attorneys at Law, introduced herself to the meeting members and guests. Ms. Pickering stated that after Ms. Peshorn's diligent and productive efforts of collecting past due tax accounts for nonpayment, in August and September the remaining accounts are rolled over to their law firm whereby attorney notices, attorney procedures, and a 15% penalty is assessed on each unpaid account for collection efforts. Ms. Pickering provided additional information in relation to collection activities/procedures, the ensuing legal process and explanation of the additional penalties incurred. Discussion ensued in relation to one account, identity not disclosed, which is currently going to court. Discussion and inquiry ensued regarding which entity and what percentages are awarded the proceeds from the finding(s) of the Court, explanation of the District Court process and the "waiting period" for lien holders, and if the sale of the property did not cover all the liens against the property what would occur next. Ms. Pickering responded to every question as posed. Audience discussion ensued.

3. Consent Items:

- a. Minutes of the Stated Meeting of June 21, 2018; and,
- b. Minutes of the Called Meeting of June 26, 2018; and,
- c. Police Report for the 3rd quarter; and,
- d. Police Department Citation Breakdown for the 3rd quarter; and,
- e. Code compliance summary report for the 3rd quarter; and,
- f. Financial Reports for the month of June 2018; and,
- g. Ad Valorem Tax Collection Report for the month of June 2018; and,
- h. Investment report for the 3rd quarter; and,
- i. Water company budget review for the 3rd quarter; and,
- j. City budget review for the 3rd quarter.

(Attachment A through J) Mayor Martin introduced the consent items by stating that the Council was provided the reports to review before today's stated meeting and began review of each bulleted item.

- a & b)** Meeting Minutes, there were no comments or suggested amendments to the meeting minutes.
- c)** Police Report, Sargent Bowman outlined the 3rd quarter police report by stating that there were multiple warnings issued, two (2) traffic citations issued and three (3) arrests which included assault bodily injury of a family member, and possession of a controlled substance with invalid license and previous convictions, and there were no warrants. Sargent Bowman began to outline animal control; however, Mayor Martin stated that this item will be discussed later on the agenda.
- d)** Police Citation Breakdown, there was no discussion in relation to this item as it is covered under the police quarterly report.

e) Code Enforcement, Officer Morgan stated that she issued eight (8) citations for short-term rentals, a violation of City Ordinance Number 347, Section 24, and inquired if there were any questions. No questions were received

f) Financial Reports, the financial transactions were reviewed by Ms. Marcia Remore and her report states that the documents are correct, accurate, and reflect the financial activity for the period of June 2018.

g) Ad Valorem, Comptroller Peshorn stated that the City has collected 98.99% of the Ad Valorem Taxes and that the remaining, uncollected 1.01% is the deferred amount which is beginning court procedures. Ms. Peshorn stated that the Ad Valorem report is in excellent shape.

h) Investment Report, Comptroller Peshorn stated that the City has one (1) CD with an interest rate of .65% due to current interest rates not doing well and she does not anticipate any forthcoming changes.

i) Water Budget, Mayor Martin reviewed the water department budget by outlining the income, stating that we currently manage an average of nine hundred and eighty (980) water accounts and he does not anticipate a large increase in that number. The total revenue is running at 76.18% which is commensurate with the budget and he indicated that the deposits were slightly down this quarter. Mayor Martin provided review of the expenses confirming that the City reimbursement (employee compensation) is running at approximately 42% year to date due to reducing labor expenses and the utilization of current employees. Mayor Martin reported that the City has allocated another \$90,000 into our interest and sinking fund. Mayor Martin stated that this is the second opportunity the Council has had to review this budget and inquired if there were any questions. Council and audience discussion ensued, and Mayor Martin responded to every question as posed.

j) City Budget, Mayor Martin introduced the City budget by stating we are currently at 91.15% year to date of total income which is commensurate with the budget. Mayor Martin stated that year to date high net income amounts will be slowing down since the City collects the majority of taxes early in the tax year and then encounters larger expenses, such as road maintenance and others, later in the tax year. Councilmember Byrd moved to approve the consent items as presented. Councilmember Butler seconded the motion. The motion carried by unanimous vote of the council members present.

4. Discussion and/or possible action on an uncombine request received from property owner, Deborah Ann West, to uncombine Unit 2A, Lot 161 (which will be known as 123 Princess Drive) and Lot 162 (which will be known as 121 Princess Drive).

(Attachment K) Mayor Martin introduced this item by providing the floor to Code Enforcement Officer Morgan. Ms. Morgan stated that the property owners wish to uncombine the two (2) lots so they may place one lot up for sale. Councilmember Byrd inquired about the road narrowing and Ms. Morgan stated that the road is and will remain the same. Councilmember Butler inquired about the square footage and Ms. Morgan provided explanation of the footage calculations which is in accordance with the City's ordinance. Councilmember Butler moved to approve the uncombine request as submitted. Councilmember Stanley seconded the motion. The motion carried by unanimous vote of the council members present.

5. Discussion and/or possible action on a combination request received from property owners Frank and Barbara Ottis, to combine Unit 2B, Lots 589, 590, 591 and 592 to construct a main dwelling and barn.

(Attachment L) Mayor Martin introduced this item by stating that the property owners were requesting a combination of several lots, so they may construct a main dwelling and barn. Code Enforcement Officer Morgan stated that this property lies on the other side of the airport and has no negative comments or concerns. Councilmember Byrd inquired if there were restrictions on barns and Ms. Morgan stated "yes" and provided the height limit but noted that there are none on the exterior. Councilmember Butler moved to approve this combination request as presented. Councilmember Gower seconded the motion. The motion carried by unanimous vote of the council members present.

6. Discussion and/or possible action on Nominations to the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool.

(Attachment M) Mayor Martin introduced this item by stating that this nomination request arrives every year and unless anyone has a recommendation, information or preferences the City usually nominates its incumbent. Upon receiving no input Mayor Martin recommended that the City nominate the

incumbent. Councilmember Gower moved to approve the nomination of the incumbent. Councilmember Stanley seconded the motion. The motion carried by unanimous vote of the council members present.

7. Discussion and/or possible action on contract renewal of the Hill Country Humane Society Shelter/Adoption Center annual agreement.

(Attachment N) Mayor Martin introduced this item by stating that last years contract cost \$1,313.00 in comparison to this years proposed contract cost of \$3,000.00. Due to the significant increase in the contract price, further inquiries and possible negotiations commenced as outlined below:

- The report dated August 24, 2017 provided by the Hill Country Humane Society is incorrect. The report reflected that eleven (11) animals were taken in from the City of Sunrise Beach Animal Control Officer. There were no animals taken in by the City of Sunrise Beach. [The City's figures have been quantified and confirmed].
- Ms. Morgan has implemented a "feral cat policy" whereby she takes stray cats in, has then neutered, and then releases them.
- Sargent Bowman stated that he has a verbal commitment with the Humane Society whereby the City would be billed approximately \$300 to \$350 per animal with no annual contract fee.

Mayor Martin suggested that this item be tabled until a new contract and/or information is provided from the Humane Society. Council and audience discussion ensued including what happens when a loose animal is found, and the owners cannot be located after three (3) days; in response Ms. Morgan stated that the City staff and residents try extremely hard to locate the owners because sending the animal(s) to the shelter is a last resort. Comptroller Penshorn stated that the website "Next Door" has been beneficial in identifying animals and their owners by posting pictures of found animals and missing animals. The audience was encouraged to have tags and to please spay and neuter cats. Councilmember Byrd stated his appreciation to the City staff for taking care of the lost pets and their continuing efforts to locate owners or find adoptions. Discussion continued, and Ms. Morgan responded to every question as posed. Upon receiving no further comments, Mayor Martin stated that this item is tabled until our August regular, stated Council Meeting, and receipt of a revised contract from the Hill Country Humane Society.

8. Announcements.

- **July 21, 2018 starting at 6:00 p.m. the CCA is hosting their Summer Ice cream social event; which also includes cookies and a cake walk. Everyone is welcome.**

Discussion ensued regarding the start time; the flyers state 7:00 p.m. instead of 6:00 p.m. and there was discussion regarding the event taking place after dinner at 7:00 p.m.

- **Appreciation letter received from Hill Country County Advocacy Center for the \$1,024.71 donation in June via the Sunrise Beach Municipal Court of Records' Child Safety Fund.**

Mayor Martin stated that the funds from the Sunrise Beach Municipal Court of Records' Child Safety Fund amounted to \$1,024.71 and the donation to the Hill Country County Advocacy Center, as approved during our April 19th stated council meeting, has been received by the Center and in turn an appreciation letter was received by the City.

- Councilmember Gower provided an update of the two (2) main fire situations and stated that the Honey Creek fire is still the most active. Councilmember Gower stated that 20 to 30 different departments have arrived on scene from surrounding areas, with two (2) helicopters and two (2) fixed-wing planes assisting, and the overwhelming assistance from volunteers and all other departments. Councilmember Gower spoke in appreciation of the overwhelming donations and food/buffet setup for the firefighters. There is no longer a need for combustible/gasoline; however, non-perishable items are always welcome. To date, in fighting these local fires the VFD of SRB has lost four (4) tires and one (1) bent rim with no fire-related injuries at this time.
- Councilmember Butler stated that there will be a volunteer trash pickup on RR 2233 for about 4 ½ miles total. If you can volunteer please be present at the VFD fire house at 7:00 a.m. next Tuesday [July 24th] whereby vests, water, pick-up sticks, etc. will be issued. Each section is three-tenths (3/10's) of a mile per pickup and there are sixteen (16) sections to complete so volunteers are encouraged to come in and sign-up for a section.

- Audience inquiry ensued regarding the petition and the 'Save Sandy Creek' movement and it was stated that five hundred and fifty-two (552) signatures were submitted and the movement is still collecting signatures and efforts are on-going.
- A resident inquired about the burn ban and Secretary Wendling stated that the burn ban is in effect as of today, just shortly before this meeting. Ms. Wendling stated that T-Mart has been informed and the website has been updated; updating the outside signage and blue boards will take place once this meeting is adjourned.

9. **Adjournment.**

The meeting adjourned at 3:23 pm.

/s/ Linda A. Wendling
Linda A. Wendling, City Secretary