



# CITY OF JAMAICA BEACH

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## CITY COUNCIL REGULAR MEETING MINUTES

May 23, 2022  
6:00 P.M.

### **CALL TO ORDER AND ROLL CALL OF MEMBERS:**

*Mayor Morris Called the meeting to order at 6:00 pm.*

*The following Councilmember's were present:*

*Mayor Clay Morris  
MPT Russell Rupertus  
Alderman Sherwood "Woody" Green  
Alderman Gil Madray  
Alderwoman Lorraine "Taz" Jones  
Alderman David Welch - ABSENT*

*The following staff was present:*

*Director Brad Heiman  
City Secretary Debbie Nesbitt*

### **PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS:**

With a quorum of the Council Members present, Mayor Morris called the meeting to order followed by the pledge of allegiance lead by MPT Rupertus to the U.S. and Texas flags.

### **SPECIAL PRESENTATION:**

NONE

### **PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARINGS:**

NONE

### **CITIZENS REQUEST TO SPEAK BEFORE COUNCIL: Members of the public are invited to give comments at this time, lasting no longer than 3 minutes.**

Citizens may address council on a **specific agenda item only**, to ask questions. The Mayor may ask you to remain at the podium if Council has statement or questions. These comments should be directed at the entire Council, not individual members of the Council, Staff, or audience. Any speaker making personal attacks, defamation or using vulgar or profane language shall forfeit his/her remaining time and shall be seated.

### **REPORTS FROM DIRECTORS, POLICE, AND FIRE:**

Director Nesbitt reported the City Pool will open this weekend, Georgia has hired her staff and the pool is ready for the season. Asked to give the numbers later on the purchase of the new park equipment on item # 3.

Director Heiman reported that the city had a busy weekend on the beach, fully prepared for Memorial Day weekend, there was about 1500 people on Saturday at the beach, we will make

sure to have twice as many officers on duty. Saturday trash pickup went really well, did put heavy plastic liners in all cans, we will get Georgia to order a larger trash dumpster

#### **COMMENTS / REPORTS FROM MEMBERS OF COUNCIL:**

##### **Alderwoman Jones read her report:**

"Dear Mayor,

In the past few months, the "Citizens Comments" section of our Agenda has been in transition. For instance, last October's Agenda:

Public Comment simply stated: "Limited to three minutes."

Since then, it has changed and evolved nearly every month.

The May 9th meeting did not offer Public Comment.

Mayor, may I suggest that we ask the people what they may want, then bring it to Council to make a final decision.

Next, the April 18th agenda packet included 12 Open Records Requests by name, date, and the requested information. There was nothing on the Agenda about Open Record Requests.

Tonight's agenda packet includes 18 Open Records Requests by name, date, and the requested information. There is nothing on tonight's Agenda about Open Record Requests.

The people are curious as to why these are included with the Agenda Packet.

If we were to truly be transparent, we could have a section on the new city website and include the Open Records Requests and the official replies.

Some are now curious about the answers to these requests, and as I understand the Open Records Act, anyone should be able to view the answers.

The Attorney Generals' Website includes a searchable database for their replies, and we could follow their example. Government Code 552.001

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."

**Alderman Madray:** no report

**Alderman Green:** no report

**MPT Rupertus:** Attended several meetings the last couple of weeks, Galveston PD reported packages are washing up on the beach, and the contents could kill you instantly. They are finding fentanyl, so be incredibly careful when finding things that have wash up on the beach. It is tax season again and Cheryl Johnson with Galveston County Tax is doing an excellent job providing useful information on how to protest your taxes. She gives you word for word instructions, just go look on her website, she has a lot of useful information out there. Upcoming meetings hurricane awareness meeting will be held here at the Fire Department on June 18, 2022. JBIC is this Saturday here, May 28, 2022.

**Alderman Welch:** Absent

#### **CONSENT AGENDA:**

#### **CONSIDER FOR ACTION APPROVING THE FOLLOWING MINUTES:**

##### **REGULAR CITY COUNCIL MEETING – MAY 23, 2022**

Motion made by Alderman Madray to approve. Seconded by Alderwoman Jones.

Motion carried to approve the minutes, with corrections to Ordinance No. 2022-05 changing Shoreacres to Jamaica Beach and on the workshop, minutes changing Alderwoman Madray to Alderman Madray in the motion to adjourn.

##### **VOTE:**

**4 AYES (Madray, Jones, Rupertus, Green)**

**0 NAYS**

**1 ABSENT (Welch)**

**MOTION PASSED**

#### **NEW BUSINESS:**

Discussion, consideration and take action to approve Resolution No. 2022-04 Electing a Mayor Pro-Tempore of the City of Jamaca Beach Texas.

Alderman Green made the motion to nominate Russell Rupertus as Mayor Pro-Tempore. Alderman Madray made the motion to discuss, seconded by Alderman Rupertus. Alderman Green made the motion to vote, seconded by Alderman Madray.

**VOTE**

**3 AYES (Madray, Green, Rupertus)**

**1 NAYS (Jones)**

**1 ABSENT (Welch)**

**MOTION PASSED**

Discussion, consideration and take action to approve Ordinance No. 2022-05 Designating the official newspaper of the City of Jamaica Beach. Morris

MPT Rupertus made the motion to vote, seconded by Alderman Madray, with the correction from Shoreacres, to Jamaica Beach, Texas.

**VOTE**

**4 AYES (Madray, Green, Rupertus, Jones)**

**0 NAYS**

**1 ABSENT (Welch)**

**MOTION PASSED**

Discuss approving the quote from American Parks Company for new park playground equipment in the amount of \$54,880.00 funding from 50035 Park Fund Equipment Purchase Fund and 35100 and 35200 HOT funds. Morris

Alderman Madray made the motion to discuss, seconded by Alderwoman Jones

City Secretary Nesbitt reported \$25,000.00 would come from budgeted funds from #50035 Park Fund Equipment Purchase Fund, \$14,940.00 from HOT funds #35100 Maintenance, and \$14,940.00 from HOT funds #35200 Tourism.

**VOTE**

**4 AYES (Madray, Green, Rupertus, Jones)**

**0 NAYS**

**1 ABSENT (Welch)**

**MOTION PASSED**

**MAYOR'S REPORT:**

Mayor Morris reported that there has been some discussion concerning the Public Comments section of the agenda, about the changes we are making, yes, we are, and we will continue making changes. Informed everyone that there are five distinct types of city meetings, open or regular, workshops, public hearings, special meetings, and a retreat. Getting the terminology correct and stated that we will be following it the letter of the law of the State of Texas. Citizens have always been able to reach out to any one of us, and they do. We have such a small percentage of citizens that comes up here as compared to what we hear from on a monthly basis, through email, phone calls, or calling city staff. I talk to and visit with at least twenty people a week, constantly listening and discussing things that are going on within the city, I enjoy that, visiting with our citizens and believe it or not, it's 99% positive regardless as to what some of you may be hearing. Just remember you can always call, email, staff, elected officials or myself and we will make sure to follow up with you.

**Mayor Morris read the following:**

"Here in the United States, we have a representative democracy also known as an indirect democracy. Which is a type of democracy where people are elected to represent the citizens and make decisions for them. That is in contrast to a direct democracy that Alderwoman Jones so much talks about, where the citizens are directly involved with all decision making of the government body. Citizens vote directly not through the representatives on legislative proposals. Citizens do not rule themselves unless they directly decided to by laws and policies. We have three types of cities here in the State of Texas. Cities of more than 5000 population may become by voter approval of the city charter or home rule city. The rest must be general law cities, general law municipalities are classified by population as type A, B or C, with different options for their forms of government. I will not go through A B C, I will if you are interested just give me a call. In our government here, we have the mayor council government system which is a system of organization of local government that has an executive mayor who is directly elected by the voters and a separately elected legislative City Council. This is how Jamaica Beach has

always been run and set up through its ordinances. It is the most common form of local government in the United States. This is broken down into two main variations depending on the relationship between the two branches, a strong mayor government or a weak mayor government variation and per our ordinances we are set up as a strong mayor. I can discuss those two in detail more if someone would like to contact me and I will discuss it with them. What is embarrassing is that some of our own elected officials do not understand or want to understand how our beautiful city is set up for the daily operations of the government instead there is a lot of distractions going on. Our true mission here is that every City Councilman, elected official, staff member is to do what is in the best interest of Jamaica Beach as a whole. Let the ones who are being productive be productive without the constant interference of a lot of malarkey. This does nothing but slow down the operations, waste resources, and most of all waste taxpayer's money. I asked each citizen to help our city by not buying into accusations, innuendos, or uneducated slander because together we can make this little community the best city on the gulf coast. I say this because we have a lot of distractions going on by a small number, we have a lot of open records requests and I do include these monthly, it is a part of our transparency here. We have had just in the past two weeks page per page of open records requests they are in the agenda packet. I won't read each one of them aloud but please go out there and look and ask what the results were, we welcome that. We also will be in the very near future be including the cost that it costs the city and what we were able to charge for these open records requests, and the net cost to the city and taxpayers. A lot of distraction right there and I know people say we have the right to know, and yes absolutely everyone has the right to know, but where does the right to know become harassment. That is what I ask. I want to ask each citizen to search within yourself, it's a fine line, and we do not discourage open records by any means, but that information when you are dealing with a small staff and when your spending 30% of that time filling open records request and not doing other city business. It's just because someone thinks something else is going on or being done wrong, it's just not healthy for the city, or any city employee or elected official. I look forward to doing this job well and I look for everyone's support to make this happen." Thank you.

**ADJOURNMENT:**

MPT Rupertus made the motion to adjourn, second by Alderman Green. Motion passed unanimously to adjourn at 6:36 pm.