



CITY OF JAMAICA BEACH

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CITY COUNCIL REGULAR MEETING MINUTES

**July 13, 2023
6:00 P.M.**

CALL TO ORDER AND ROLL CALL OF MEMBERS:

Mayor Sharon Bower called the meeting to order at 6:04 pm

The following Council Members were present:

*Mayor Sharon Bower
Mayor Pro Tem Gil Madray
Alderswoman Lorraine Jones
Alderman David Welch
Alderman Sherwood Green*

The following Council Members were tardy:

Alderman Russell Rupertus – 6:20 pm

The following staff were present:

*Director of Operations - Robert Quintero
Chief of Police - Raymond Garivey
Finance Clerk - Ester Abrego
Water Clerk – Tina Sifuentes*

PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

SPECIAL PRESENTATION: None

PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING:

PUBLIC COMMENTS:

Mayor Sharon Bower stated that temporarily, there will be questions answered during open discussion to involve public comments. She has proposed a protocol that ordinances will be presented for discussion at the first meeting of the month and passed the second meeting of the month.

- **Paul Wendt:** Concerns about no alcohol on the beach, feels as though all council members be present to monitor that no alcohol is being consumed.
- **Jerry Jackson:** Home for sale on his street, 3 areas for rent, and each house is listed separate, and each listing has a boat dock. His understanding is that one address is one rental, so he would like to know the ruling on how many can rent. He would like to know the procedure on the outcome of discussion. The council informed him that there will be a discussion and Mayor Bower will give further information at a future meeting. Mr. Birdsong is building his dock and his understanding that there needed to be approval from the core of engineers. Whose responsibility is it to enforce what was agreed upon.

- **Al Ayers:** Discussed no alcohol on the beach and believes that it would be a good idea for Jamaica Beach. Thinks that it would make things easier for the police to now have to deal with rowdy people, and his daughter will not go to beach because she has been harassed in the past.
- **Grant Hill:** Would like to know where the discussion of no alcohol came from. Wants to know what people will drink on the beach.
- **Ginger Jones:** Has expressed in the past that there are televisions on the wall and would like to be able to review the documents that the council reviews during the meeting. Mayor Bower will contact a technician to assist in getting televisions running.

ANNOUNCEMENTS:

Mayor Sharon Bower stated that JBIC will host their annual meeting on Saturday, July 15, 2023 at 9:00 am at the City Hall.

REPORTS FROM DIRECTORS, POLICE, AND FIRE:

- Chief of Police, Garivey - Report attached – No questions were asked.
- Director of Operations, Quintero - Report attached – No questions were asked.
- Fire Chief, Baden - No report

APPROVAL OF MINUTES:

Mayor Sharon Bower presented the minutes for April 17, 2023, May 15, 2023, and June 22, 2023, for approval.

*Motion made by Mayor Pro Tem Madray to **approve**, seconded by Alderwoman Jones*

VOTE

3 AYES (Green, Jones, Madray)

1 NAYS (Rupertus)

1 ABSTAIN (Welch)

MOTION PASSED

ALDERMAN REPORTS:

Mayor Pro Tem Madray: Phase 4 of the waterline replacement is nearing completion, due to be back on schedule by the first week of August. Bayside Lift Station # 7 project has been simplified and expedited by the engineer and will be highly restricted, but the contractor will do his best to minimize any inconveniences to residents.

Alderman Green: No report.

Alderwoman Jones: stated Stars for Troops is reaching almost 5000 stars that have been passed out in the past 2 years. Reminder that the WGIPOA meeting will be held at Waterman's on Saturday, July 15, 2023, at 9:00 am, with Cheryl Johnson as the guest speaker.

Alderman Rupertus: No report.

Alderman Welch: Strongly believes there should be a town hall meeting for any concerns the citizens would like to discuss.

NEW BUSINESS:

1. DISCUSSION AND CONSIDERATION TO POSSIBLY TAKE ACTION APPROVING RESOLUTION 2023-08 CITY COUNCIL APPROVAL FOR ESTABLISHING MONEY MARKET ACCOUNTS. (Bower)

Mayor Sharon Bower stated there is a large amount of money in the account that is not earning interest. Money market accounts current rate available is 4.34%. The fiscal policy drafted by Sean Hutchison was never approved, but one needs to be in place. 6 transactions a month will allow for 3 months of projected operating funds to be available in accounts at all times. Alderman Green questioned the procedure if there is an emergency and Mayor Bower stated all funds could be transferred if needed. Alderman Rupertus inquired about quarterly financial reports for the past 6 months, does not feel comfortable agreeing to making transfers without reports. Mayor Bower informed him that Ester is working on updating finances that were not entered by the previous Interim City Secretary, and she is not comfortable giving out information that does not capture all expenses correctly. Accounts will be at Texas First Bank

and \$4.8 million from the general account will be moved, and \$1.8 million will be moved from the municipal fund. CARES Act grant is in a separate account and HOT tax will be tracked moving forward. FEMA grant for dune walkover was not received, but extensions will need to continue to be filed to have funds available to us as needed.

*Motion made by Alderman Welch to **discuss**, seconded by Alderman Green*

*Motion made by Alderman Welch to **approve**, seconded by Mayor Pro Tem Madray*

VOTE

4 AYES (Green, Jones, Madray, Welch)

0 NAYS

1 ABSTAIN (Rupertus)

MOTION PASSED

2. SEEK COUNCIL DIRECTION ON REIMBURSEMENT CHECK TO MAYOR MORRIS WITHOUT REQUIRED SUPPORTING DOCUMENTATION. (Bower)

Mayor Bower presented invoices to the council that did not have proper supporting documentation and that were dated 2022, as well as not having a conflict of interest filed. Alderman Welch inquired about work orders and Robert Quintero confirmed there were. Mr. Quintero stated that former Mayor Morris would purchase products and the city would purchase from Mayor Morris, but any purchases before July 2022 were before his employment. Alderwoman Jones stated that during her time on the park board, she was unable to be reimbursed without a receipt, so why was a payment made after the close of the fiscal year and without a receipt. Alderman Welch stated we should ask former Mayor Morris for receipts. Alderman Rupertus asked if anyone had reached out to former Mayor Morris but due to the conflict of interest, Mayor Bower did not. Alderman Rupertus elaborated on the reasoning behind the invoices and the explanation about an emergency on the work completed. Mr. Quintero stated he will reach out to former Mayor Morris for clarification.

*Motion made by Alderman Green to **discuss**, seconded by Alderwoman Jones*

*Motion made by Mayor Pro Tem Madray to **table**, seconded by Alderman Welch*

VOTE

5 AYES (Green, Jones, Madray, Rupertus, Welch)

0 NAYS

0 ABSTAIN

MOTION PASSED

3. DISCUSSION ON POSSIBLY ENACTING ORDINANCE TO CREATE ALCOHOL FREE BEACH. (Bower)

Mayor Bower stated this discussion is to get a general idea on what citizens viewpoints are for a better beach environment. Alderwoman Jones states she has had many citizens contact her, both for and against, and she is neutral about the situation. Mayor Pro Tem Madray stated that the beach user fee will assist in maintaining the beach, but that alcohol on the beach is a citizen decision. Alderman Welch stated that he believes everything should be presented in a town hall meeting, as well as hearing from the Chief of Police what reports he has received on the matter. Mayor Bower brought up the point due to multiple complaints.

Becky Edmonson – Ordinances already in place for drunkenness on the beach, but how will the renters know what is going on. No glass rule is being enforced but the officers are stopping dancing on cars. Poll people on the beach to see where they are coming from.

Kaylynn Williford – Does not take children to the beach due to drunkenness, bad language and trash being left behind. She prefers to take her family to Sea Isle. A dog was attacked by another dog on the beach without a leash. The Chief is doing a great job, but the officers do not see everything. Facebook page states that Jamaica Beach is a beach that openly allows beach and attracts people with alcohol. Does not call the police because she feels like she puts herself in a bad position, but there are actions that happen after the police pass. Does not believe that banning alcohol will hurt things, thinks it will attract more families. 9 out of 10 of her friends do not call the police.

Marci Kurtz – Does not see that trash left behind is from a specific group, either with or without alcohol. Can you provide data on whether or not litter comes from people who consume

alcohol or not. Would like to know if there could be a quarterly town meeting to discuss any topics that need to be addressed.

Al Ayers – He and his wife go to Sea Isle because she doesn't like the bad language and music she hears. The State Park and 16-mile road are alcohol free. Feels as though we are attracting an element we would rather not have.

Dale Hubert – Has 33 years law enforcement and says an ordinance is a tool for officers to handle issues.

Chief Garivey – Has been questioned about this issue but the police department does not profile. Alcohol is allowed on the Seawall down to 61st street, so Jamaica Beach is not the only beach that allows alcohol. Can not check anyone's cup but he and his officers will back up the mayor and do what they have to do to get their job done. His officers are doing the best they can to catch the glass bottles on the beach. If someone makes a complaint about another person, they have cause to look into the matter, but again, they cannot profile. There have been no calls related to alcohol in the 8 months that he has been Chief.

Kyle Vardeman – Personally will not contact the police, prefers to handle matters on his own, but does appreciate the police officers. Does not take his 4 children to the beach and will not take family coming into town to the beach. As a father, he finds it difficult to handle the men on the beach who are drinking and harassing people. Can we stop the cars driving fast on the beach and provide more deterrents to keep things safe.

Alderman Green – Had his daughter in law come into town and took his family to the beach. They met with people out of town, and they had a pleasant time while drinking. Did not see a lot of people out drinking on the beach.

Grant Hill – Thinks a town hall meeting would be a great idea.

Paul Wendt – Could there be an election for the vote.

*Motion made by Alderwoman Jones to **discuss**, seconded by Mayor Pro Tem Madray*

MAYOR'S REPORT:

Mayor Sharon Bower would like to give an update on STR. The Council attempted to cancel Host Compliance, but it was never cancelled, and the current 90-day cancellation window has passed. Tina is working on getting updated using Granicus and has provided information to get the necessary information on the website. The waterline project is making progress with Phase 5 and will have an estimate for the budget cycle. Budget for the next year is ongoing and will review what the tax revenue is going to be, as well as looking at expenses. The sewer system needs maintenance, and we are looking into budgeting for it. The auditor has the majority of the items needed to complete the 2019-2020 audit, scheduled for the end of September. Robert is getting up to date with Blackboard to give out notices. Municode is the company that consolidated the ordinances in a searchable format, should have the approval to the editor in the next two weeks. Check registers have not been posted on website because there are missing ACH payments that have not been captured, but they are being input. A new contract has been negotiated with the waste management and a new ordinance will be presented with new dumpster costs for the beach. The ordinance for trash will be updated to reflect changes. Money is being lost in the water department and rates will be updated.

EXECUTIVE SESSION:

TAKE POSSIBLE ACTION OR GIVE DIRECTION ON EXECUTIVE SESSION ITEMS OF DISCUSSION:

Consult with TML attorney on pending litigation and settlements.

No vote was required

ADJOURNMENT:

Motion made by Mayor Pro Tem Madray to adjourn, seconded by Alderman Welch. Meeting adjourned at 7:33 p.m.