



CITY OF JAMAICA BEACH

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CITY COUNCIL WORKSHOP MEETING MINUTES

JANUARY 7, 2013
6:00 P.M.

CALL TO ORDER

Mayor Victor Pierson called the meeting to order.

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

Alderman Brad South led the Pledges of Allegiance to the U.S. and Texas Flags.

ROLL CALL OF ALDERMEN

The following Councilmember's were present:

*Mayor Victor Pierson
MPT Eddie Burke
Alderman Brad South
Alderman Sandy Denby
Alderman Mary Morse
Alderman Gene Montgomery*

The following staff was present:

*City Administrator Brick
City Secretary Rushing
Interim Police Chief Sedgwick*

ITEMS OF BUSINESS:

1. DISCUSS RENEWING HGAC MEMBERSHIP.

City Administrator Brick explained H-GAC membership benefits. No further discussion by Council.

2. DISCUSS BIDS FOR GENERATOR AT CITY HALL OFFICES/BUILDING.

City Administrator Brick said we received 3 bids to replace the city offices side generator that was damaged during Hurricane Ike; the bidders were Bay Electric, Karl Electric & A&H Electric; the bid included a 27kw Air/Cool Generator, installation of the generator and a transfer switch; the lowest bidder was Bay Electric; he said the generator could run off of natural gas or propane; he mentioned the generator used for the PD/VFD/EMS side of the building is natural gas and the previous city offices side generator was natural gas.

Alderman Denby inquired where the generator would be located.

City Administrator replied the generator would be installed in the garage on a 10 foot vented platform.

Alderman Montgomery reminded Council the loss of natural gas during Hurricane Ike and recommended a propane tank be installed for the generator.

Mayor Pierson asked City Administrator Brick to request bids for the installation and cost of a propane tank.

3. DISCUSS VARIANCE REQUEST FOR SWIMMING POOL AT 16544 JOHN SILVER RD.

Item tabled – no discussion.

4. DISCUSS BULKHEAD ON PROPERTY ADJACENT TO 16608 POMPANO.

City Administrator Brick said he received a letter from the neighbor of 16608 Pompano concerning the lack of a bulkhead and the damage it is causing to their property; Mr. Brick said the property belongs to an estate and doesn't have a clear title to it, which makes it difficult to address the issue.

Mayor Pierson said a city can usually make repairs to a property then place a lien against the property for the cost of repairs plus interest, but in this case and the problem we are running into with a house on our dangerous house list is the properties belong to an estate and we don't know who to serve.

MPT Burke said he sympathizes with the neighbors, but inquired if it is the city's responsibility to install a wing wall.

Mayor Pierson replied no it is not the city's responsibility; the city has a bulkhead ordinance.

Alderman Montgomery suggests the neighbor install a wing wall to avoid further damage to their property.

Mayor Pierson said typically the city does not get involved.

MPT Burke request if the city could get a quote to install a wing wall.

Mayor Pierson said we could add this property to our list of damage houses then direct the City Attorney to enforce the bulkhead ordinance once the property owner is determined.

Mayor Pierson opened the item for discussion:

Ginger Jones, 16612 Curlew, said it would send a bad precedent if the city installs the wing wall and other people will expect you to do it

Mayor Pierson suggests continuing with legal action by enforcing the bulkhead ordinance.

5. DISCUSS ADDING GIL MADRAY AS A MEMBER OF THE PLANNING & ZONING COMMISSION.

City Administrator Brick said Gil Madray lives in Jamaica Beach and has been involved with engineering firms, projects and construction management; he has spoken to Gil and he is willing to join the Planning & Zoning Commission since there is a vacancy.

Mayor Pierson inquired, whose spot will he be taking.

City Administrator Brick replied Gary Swain.

Mayor Pierson asked Council and the audience if they have anybody they would like to consider or nominate. No suggestions from Council or the audience.

6. DISCUSS HOTEL/MOTEL TAX COLLECTIONS.

Mayor Pierson provided a few details in regards to the Hotel/Motel tax collections; he said the city collected \$92,034.64 last fiscal year, but thinks the city is missing a lot more; he said the 2003 Legislation passed the use of the money, it can be used to build public pools, Opera House, Convention Center, ect.; he explained it is State law for all short-term rentals, meaning less than 30 days, to collect 7% for local tax and 6% for State tax, but Jamaica Beach gets an extra 2%, so all short-term rentals in Jamaica Beach should be collecting a total of 15% tax of that 9% is to be paid to Jamaica Beach and 6% to the State; he noted the City of Galveston recently hired a firm to investigate and collect taxes not being paid and the firm was able to collect an additional \$800,000 owed to Galveston; Mayor Pierson thinks the city is losing about \$50,000 from the individuals not paying their share of the tax to Jamaica Beach; he recommends possibly hiring someone to find those individuals to collect the tax owed to the city.

MPT Burke said it should be pretty simple to find short-term rentals in Jamaica Beach, just look on VRBO.com.

Mayor Pierson opened the item for discussion:

Terry Rizzo, 16512 Jamaica Inn, inquired if the city could send out a notification to everyone; she also volunteered to assist city staff to search for houses on the internet.

Mayor Pierson said rather we decide to hire a firm or if city staff looks into it – either way he thinks it is important and will be beneficial to the Hotel/Motel fund, especially if the city decides to build a pool and will be spending \$100,000 on the dune project; he said the money is rightfully owed to the city, not to mention, it is unfair to the ones that do pay.

7. DISCUSS DEMOLITION OF CONCRETE STRUCTURE AT PARK.

City Administrator Brick said if the city decides to proceed with the swimming pool the concrete structure will need to be removed; he received a quote for \$3,700 to remove it; the Swimming Pool Committee has agreed the structure is not useful in the plans and will need to be removed.

Mayor Pierson said a lot of people may want to see the structure removed, but the city cannot spend public money on private property, so until that property is deeded over to the city we can't do anything; he said it is his understanding that once the city can present a package deal of their plans for the property to the Friends of Jamaica Beach, who raised money to purchase the property, they will then deed the property to the city.

City Administrator Brick said a member of the Friends of Jamaica Beach was present at the meeting and invited her to speak on their behalf.

Gay Fundling, 16523 Trinidad Way, said she was a local member of the Friends of Jamaica Beach; she said they do have some funds available to remove the structure, but not enough; she said she even suggested Leimer Brothers removing the structure at a discounted rate since they used the property to park their vehicles there for a long time; she said once the pool plans have been finalized she does hope to donate the lots to the City of Jamaica Beach; she agrees the structure is a liability and hopes to at least remove the stairs.

Alderman South asked John to verify the bid amount.

City Administrator Brick replied his bid was from Leimer for \$3,700.

Ms. Fundling said she received a bid for \$2,200.

Mayor Pierson said until the city owns the property we can't really do anything about the structure; he said when it comes time to finalizing the plans for the pool we will make it a package deal.

8. DISCUSS PROGRESS OF SWIMMING POOL CONSTRUCTION.

Alderman Montgomery provided an update to the swimming pool construction; he said plans are progressing as fast as they can when dealing with this type of situation and packaging the removal of the structure may add to it, but we saved quite a bit of money using a local engineer; he said the engineer requested core samples before he would move forward with the plans; he said the committee and the engineer are currently waiting for those samples to be available.

City Administrator Brick added a survey of the property was done and we should have the elevation certificate by the end of the week.

Alderman Montgomery said he was hoping to have everything done by the end of the month, in hopes, the city can go out for bids to get an estimate of the cost; he said he was informed the pool and the pool house would need to be separated, so we may have to request two different bids: one for the pool and one for the pool house.

Ginger Jones, 16612 Curlew, asked if the city knows who is going to manage the pool.

Alderman Montgomery replied the committee has investigated some management options, but want to first find out if building the pool is feasible before crossing that the bridge.

Mayor Pierson said some community pools are operated by their homeowner associations, but if we use the Hotel/Motel fund to build the pool then we are required to have it open to the public and charge a daily and/or annual pass fee.

Alderman Montgomery said it would be up to the management company to decide on the days and hours of operation; if it is not feasible to them they may not stay open year around.

9. DISCUSS CLEAN-UP OF PROPERTY AT 16715 TAHITI WAY.

City Administrator Brick said he received a complaint letter from a neighbor of 16715 Tahiti Way as to how he feels about the property; he also provided pictures; he said one of the neighbors even mowed the grass at the property as a courtesy, but Wil Zapalac wrote them a note to not do that again.

Mayor Pierson said this property is definitely a problem and can understand the neighbor's frustrations; he said this property is one out of the two houses left on the city's damage houses list; he mentioned the city is doing all we can legally, but it is taking some time due to the situation; he advised Mr. Brick any issues between the neighbors will have to be handled under civil action, we are limited as to what we can do as government municipality.

Alderman Montgomery said he spoke to Mr. Zapalac privately after a previous meeting and advised him to clean and maintain the property if he wants any slack from his neighbors while he is trying to resolve his issues.

Mayor Pierson said the city give Mr. Zapalac 30 days to clean the property; he didn't comply, so we had to involve our City Attorney; Mr. Zapalac claims he purchased the property, records show the property is owned by a corporation, one of the owners of the corporation is deceased, making it difficult for our City Attorney, but he is one of the best attorneys and is currently working through the process.

CITIZEN INPUT

(REQUESTS TO ADDRESS COUNCIL MUST BE MADE TO CITY STAFF BY 5:45 P.M. ON JANUARY 7, 2013.)

No requests to address Council.

CITY ADMINISTRATOR'S REPORT

City Administrator Brick reported the Texas Public Official Workshop is coming up on January 22nd at the Galveston Convention Center; it is mandatory for official to attend; severe weather expected tomorrow and on Wednesday.

MAYOR'S REPORT – No Report

ALDERMEN REPORTS

Alderman Morse reported on the Light-up Jamaica Beach, she said it was wonderful and thanked everyone that participated; Park Board will be meeting tomorrow; new shutters were installed at the Park Pavilion.

Alderman South, MPT Burke, Alderman Montgomery & Alderman Denby – No Reports

POLICE REPORT – No Report

ADJOURN

Meeting adjourned at 6:39 p.m.