



MINUTES
April 7, 2021

Regular Kemah City Council Meeting
Kemah Public Facilities Corporation

Mayor Terri Gale called the Kemah Council Meeting/Kemah Public Facilities Corporation Meeting to order at 7:00 pm in the Council Chambers in Kemah City Hall. Present were City Council Members Teresa Vazquez-Evans, Wanda Zimmer, Doug Meisinger, Robin Collins, and Isaac Saldaña. Mayor Terri Gale declared a quorum. Also in attendance were City Attorney Dick Gregg Jr., City Administrator/Police Chief Walter Gant, Building Official/Fire Marshall Brandon Shoaf, Accounting and HR Manager Chandra Jobb, Finance Director Kendra Murphy, and City Secretary Melissa Chilcote. *(The time in italics on each item indicates the approximate start time of the section in the associated audio file.)*

1. 00:00:00 Pledges

Pledges led by Robin Collins

2. 00:00:51 Prayer

Led by: Walter Gant

3. 00:01:30 Public Hearing

- Section 212.015 of the Texas Local Government Code contains these Notice requirements and also requires that said Notice must contain the language of subsection (c) of said Section 212.015 which reads as follows:
c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

Start Time: 7:03pm

Raheemah – 313 Miller

Across the street from Star Harbor and didn't receive any notification

Impacts of this project

#1 – traffic/school bus

#2 – proposed cut driveway right across the street

Why is the cut not on Carolyn?

#3 2012/2013 – petition for culvert was denied

Drainage will be an issue

311 Miller

Driveway in front of house

Narrow roads/ditches



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Children walking down the street for school
Proposed project is going to be 4 stories high
There needs to be bigger streets
Drainage is a big issue
Carolyn/Bridge construction is impacting traffic
Would like the developers to work with the residents
There is no room for growth
Stewart Elementary makes traffic back up already

Daniel Conrad

Traffic is bad on Miller
There is no variance noted
More communication

Mark Caldwell – Developer

25 single family lots into one lot – prelim plat on a 34 acre lot
15 Buildings
No driveways on W. 4th
parallel parking
Will enhance beauty - Main entrance
Engineered drainage
Storm drains into Channel which will improve the drainage
Elevators
Low \$400,000 to \$500,000
3 driveways – 2 on Miller and 1 on Grove
50 Units

Raheemah – would love the Developer to have a meeting with residents on Miller

End Time: 7:29pm

4. 00:29:07 **Proclamations**

- William M. Johnson Day Proclamation
Mayor Gale presented the Master Gardener's with the Proclamation
- Child Abuse Prevention and Awareness Month Proclamation
Mayor Gale presented CASA Rep with Proclamation

5. 00:35:10 **Invitation to Address Council**

Robert Kelly –

#21 – City Administrator Ordinance - positive and great step going forward



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Daniel Conrad

#13 – STR

Citation to the Owner

Nuisance laws in place

Homeowner can sue neighbor

Not a City problem

#15 – Food Trucks – variances

#16 – add to plan – Cien to 6th – Offsite parking

Charge for parking

#17 – cancel any street closures – table policy

#21 – support ordinance

#22/#23 – Meritage

Diana Lopez

Toucan Market

Pros with Street closures

Will host without street closing

Main reasons – profitable for local businesses – family friendly

60 Vendors – 120/200 visitors

Valuable – Free marketing from vendors for Kemah

Only one day a month

Reé Allen

Toucan Alley Market – valuable and increased sales

Toucan Alley – visibility

Will work with Event Coordinator

Respect Visitors that come to Council

Lexi Sadler – Clipper House Inn

#17 – Street Closure

Spring Break – weather was awesome

Parking helped traffic

Family Friendly Event

Create something Special

Linda Day

#13 – STR – owners need to establish house rules – blasting music

Shawna Reid

#13 – STR – live on 8th Street

Problem Solver



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LodgingRevs – online system used by Nassau Bay/League City
Will send out letters for staff/data/assisting in management of the STRs
Registration of Properties
HOT Tax fees – gray area – should it be by room or address
Prefer by address
Noise/Nuisance across the board
Notice to property owners
If call made and citation issued – property owner needs to be notified – know email and
24 hour hotline
#17 – Road Closures
Limit it to non-busy hours
Closures completed by am – for vendors/parades
Keep vendors out of Right of Way
Time should be 9am to 1pm or 10am to 2pm
Visitor Center or Boardwalk
Closing 6th street and Bradford – Bars won't be affected
Clipper House should use courtyard
Social Media promotions
6th Street Market Banners
Digital sign
Mike Stackable
#13 – STR owners get a much better deal than City
Unacceptable
Agree with previous comments
Cindy Carrol
#13 – STR
Being stalked/harassed
Be a good neighbor

6. 01:01:15 Council Members Comments and Announcements

Council Member Teresa Vazquez-Evans
Good Evening and thanks for joining us. Glad to be back in the Chambers
Council Member Wanda Zimmer
Thank you everyone. Hopefully this won't be too long
Council Member Doug Meisinger
Good Evening
Council Member Robin Collins



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Nice to be back in the Chambers
Council Member Isaac Saldaña
None

7. 01:02:05 Mayor's Comments

Welcome and thanks for coming
Toucan Alley – Easter egg event was a success – gave away 15 bikes

8. 01:02:42 City Administrator Report

- Financials
Will be out at the next meeting by the 15th
- Economic Development
Shoppes of Kemah Letter – did not meet the \$370,000 /\$51,000 shortfall due to COVID and would like to have it waived.
Meritage Plats – move forward
30 day notice HB 3167 – needs Council Approval
Kendra – HOT Funds collected 35% and we are at 50% of fiscal year
- Events and Operations
- Technology Department
100% completion on the Server
There are backup fail safes
Internal network path via dvd/usb
Took 60 hours to complete – increased from 600gb to 48TB
6 desktops – virtual
Office 365 – G3 licenses – governmental domain
From kemah-tx.gov to kemahtx.com
Website - Next week – on April 13th
First look at CivicPlus
Live streaming meetings – Datavox system
LodgingRev – cost effective – pricing depends on properties and bring it back next meeting

9. 01:16:51 CIP

Final plans for Kemah Oaks Spillway/Golf Cart Path – bids due by next Friday and will be at next Council Meeting

10. 01:17:22 Police and Emergency Management Report

- Events and Operations

Spring Break
12th /19th /20th – TX DPS/Kemah/TABC/Galveston County Sheriff
Van was down at 6th street



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As a result:

31 persons arrested
18 Public Intoxication
5 Disorderly Conduct
1 Evading arrest
1 misrepresentation
1 Resisting Arrest
3 Warrants
1 Assault on a Police Officer
1 Assault by contact
1 Interfere with the duty of a public servant
1 DWI
1 Fail to control speed
2 hand guns found

Will continue to use this method until told to stop

This past Friday (9 arrested) and Saturday (7 arrested).

TxDOT – light at Bel and 146 and Light at Texas First Bank – need to be fixed

- Emergency Services
March 2021 Stats
81 Calls in Kemah
8 Calls in Clear Lake Shores
10 Mutual Aids
Average shoot time - 1 minutes 22 seconds
Average Response time - 5 minutes 9 seconds
Received 5 mutual aids

11. 01:24:50 **Communications and Marketing Report**

TxDOT Boat Ramp Project Meeting – April 12th at 5pm at City Hall

MDR meeting on Monday April 19th from 11am to 3pm – presentation at the next meeting

Kick Off Meeting

Access to social media

Asset Library

Brand development is underway

12. 01:32:04 **Consent Agenda**

A. **Approval of Minutes**

- 2020-06-17 Council Minutes
- 2020-06-24 Special Council Minutes
- 2021-03-24 Special Council Minutes



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- B. Approve Prelim Plat for Westwind Landing at Star Harbor Condominiums**
- C. Approve Final Plat for Reserve G Kemah Marketplace**
- D. Approve Resolution 2021-XX – Galveston County Mosquito Control Aerial Spraying**

Motion: To remove items #12B and #12C and approve items #12A (with changes made prior to meeting) and #12D.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

Motion: To approve Prelim Plat for Westwind Landing at Star Harbor Condominiums

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Teresa Vazquez-Evans

Vote: **Motion carried** unanimously by all Council Members present.

Motion: To approve Final Plat for Reserve G Kemah Marketplace.

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Teresa Vazquez-Evans

Vote: **Motion carried** unanimously by all Council Members present.

13. 01:41:15 Consideration and Possible Action: on revision of the Short Term Rental Ordinance

Motion: To discuss revisions of the Short Term Rental Ordinance

Made By: Council Member Wanda Zimmer

Seconded By: Council Member Robin Collins

Amended Motion: To table

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

02:16:27 Motion: To move item #19 above item #14

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Robin Collins

Vote: **Motion carried** unanimously by all Council Members present.

19. 02:19:27 Consideration and Possible Action: To live stream Council Meetings

Motion: to live stream Council Meetings

Made By: Council Member Robin Collins



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Seconded By: Council Member Isaac Saldaña

Amended Motion: To authorize staff the ability to bring back more information at the next meeting.

Made By: Council Member Robin Collins

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

14. 02:33:50 Consideration and Possible Action: to approve the Families First Coronavirus Response Act Extension.

Motion: to approve the Families First Coronavirus Response Act Extension

Made By: Council Member Robin Collins

Seconded By: Council Member Isaac Saldaña

Amended Motion: to approve the Families First Coronavirus Response Act Extension to December 31, 2021.

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

15. 02:35:18 Consideration and Possible Action: To approve a Food Truck overnight/long term parking at 701 7th Street.

Motion: To discuss the Food Truck overnight/long term parking at 701 7th Street.

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Robin Collins

Vote: **Motion failed** unanimously by all Council Members voting nay.

16. 03:10:24 Consideration and Possible Action: on a traffic plan for Entertainment District during special events and certain holidays.

Motion: To discuss a traffic plan for Entertainment District during special events and certain holidays.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Robin Collins

Amended Motion: To approve a traffic plan for Entertainment District during special events and certain holidays with the exception of no Officer at the 6th/Hwy 146 light.

Made By: Council Member Robin Collins

Seconded By: Council Member Isaac Saldaña

Vote: **Motion carried** unanimously by all Council Members present.



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17. 03:30:11 Consideration and Possible Action: on amending the street closure policy adopted by Council for Vendor Markets.

Motion: To discuss amending the street closure policy adopted by Council for Vendor Markets.

Made By: Council Member Doug Meisinger

Seconded By: Council Member Wanda Zimmer

Amended Motion: to amend the street closure policy adopted by Council for vendor markets and authorize the Chief and Assistant Chief to coordinate with Toucan Alley and Clipper House Vendor Markets to get them off the street and to not close the street.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Isaac Saldaña

Vote: **Motion carried** unanimously by all Council Members present.

18. 03:43:40 Consideration and Possible Action: to establish strategic and budget priorities and a planning schedule for FY2021-2022

Motion: To table

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

20. 03:44:00 Consideration and Possible Action: To appoint a committee to review and approve HOT Fund balance and expenditures.

Motion: To appoint a committee to review and approve HOT Fund balance and expenditures.

Made By: Council Member Doug Meisinger

Seconded By: Council Member Robin Collins

Amended Motion: To nominate Shawna Reid to coordinate a HOT Fund Committee for this fiscal year and the next fiscal year.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Robin Collins

Vote: **Motion carried** unanimously by all Council Members present.

21. 03:46:37 Consideration and Possible Action: of a City Ordinance Creating the Position of City Administrator; Specifying the Duties of the City Administrator, Police Chief, City Secretary and City Attorney; Specifying the Duties of the City Council with Respect to Employees and Officers; and Establishing Procedures for Managing Employees of the City.

Motion: to approve of a City Ordinance Creating the Position of City



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Administrator; Specifying the Duties of the City Administrator, Police Chief, City Secretary and City Attorney; Specifying the Duties of the City Council with Respect to Employees and Officers; and Establishing Procedures for Managing Employees of the City.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Doug Meisinger

Amended Motion: to approve a City Ordinance Creating the Position of City Administrator; Specifying the Duties of the City Administrator, Police Chief, City Secretary and City Attorney; Specifying the Duties of the City Council with Respect to Employees and Officers; and Establishing Procedures for Managing Employees of the City with the amendments discussed – Page 3: 2-25(b) - to not include those duties overseen by the Police Department, page 4: 2-25(c) – preparing job descriptions for all employees of the City excluding those overseen by the Police Chief or some language to that effect, page 4: 2-25(e) – to include language that clarifies the Police Chief hires Police Officers not the City Administrator, page 4: 2-25(g) – confirmed that state law addresses how personnel matters are handled in and out of executive session, page 4: 2-25(q) – Serves as “a” Public Information Officer, page 5: 2-25(x) - Reports directly to the Mayor and City Council, and supervised by the Mayor and City Council, page 6: 2-30 – to specify that the Police Chief is responsible for hires in the Police Department.

Made By: Council Member Teresa Vazquez-Evans

Seconded By: Council Member Isaac Saldaña

Vote: **Motion carried 4 to 1 with Council Member Wanda Zimmer abstaining.**

04:21:40

EXECUTIVE SESSION: Mayor Gale called the executive session at 11:29pm.

A. Section 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting:

1. when the governmental body seeks the advice of its attorney about:
 - (A) pending or contemplated litigation; or
 - (B) a settlement offer; or
2. 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.

This meeting is authorized by both Sec 551.071 (1) (A) and (2).(Subject matter above is limited to Kemah City Hall and Kemah Visitor Center Renovations)

04:22:57

OPEN SESSION:

Mayor Gale reconvened the regular meeting into open session at 12:06pm.



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23. 04:23:01 Consideration and Possible Action: to engage special legal counsel to explore, evaluate, report and handle, if legally feasible, litigation pertaining to the matters discussed in executive session.

Motion: Council Member Doug Meisinger to work with City Administrator Walter Gant to look at a list of attorneys that specialize in construction projects and forensic accounting to look into the report that we have before us on the City Hall Renovations and Visitor Center Renovations

Made By: Council Member Doug Meisinger

Seconded By: Council Member Isaac Saldaña

Vote: **Motion carried** 4 to 1 with Council Member Wanda Zimmer abstaining.

24. 04:23:55 Council Members Closing Comments

Council Member Teresa Vazquez-Evans

None

Council Member Wanda Zimmer

None

Council Member Doug Meisinger

None

Council Member Robin Collins

None

Council Member Isaac Saldaña

None

25. 04:23:55 Mayor's Closing Comments

None

26. 04:23:55 Adjourn

Motion: To Adjourn

Made By: Council Member Isaac Saldaña

Seconded By: Council Member Doug Meisinger

Vote: **Motion carried** unanimously by all Council Members present.

Council was adjourned at 12:08 pm.



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Signature Page:

A handwritten signature in blue ink, appearing to read "Theresa Gale", is written over a light blue rectangular background.

APPROVED: _____

DATE: _____

ATTEST: _____