

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the City Council of the City of Lake Jackson met on Tuesday, January 3, 2023, at 6:30 p.m. in Regular Session at 25 Oak Drive, Lake Jackson, Texas, Lake Jackson City Hall in the Alice Rodgers Council Chambers with the following in attendance:

Gerald Roznovsky, Mayor
Rhonda Seth, Mayor Pro-Tem
Jon "J.B." Baker, Councilmember
Chase Blanchard, Councilmember
Matt Broaddus, Councilmember
Vinay Singhania, Councilmember

Meagan Borth, Asst. City Manager
Sherri Russell, City Attorney
Sally Villarreal, City Secretary
Lora-Marie Bernard, PIO
Robin Hyden, Parks and Rec Director
Sal Aguirre, City Engineer
Sabrina England, PW Director
Milford John-Williams, Asst. to the CM
James Bryson, Finance Director
Paul Kibodeaux, Police Chief

PLEDGE OF ALLEGIANCE

Councilmember Singhania led the pledge of allegiance.

INVOCATION

Mayor Roznovsky led the invocation.

VISITORS COMMENTS

No visitor comments.

DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

CONSENT AGENDA

1. Approval of minutes – December 19, 2022
2. Approve annual dues for the Houston-Galveston Area Council in the amount of \$1,127.08

On motion by Councilmember Seth, seconded by Councilmember Singhania with all present members voting "aye," the consent agenda was approved as follows:

1. Approval of minutes – December 19, 2022 - *approved*
2. Approve annual dues for the Houston-Galveston Area Council in the amount of \$1,127.08 - *approved*

PUBLIC HEARING TO AMEND THE PERMITTED USES FOR B-2 CENTRAL BUSINESS

Mayor Roznovsky opened the public hearing at 6:31 p.m.

Ms. Russell stated the public hearing is only for the purpose of reverting the permitted uses back to where they should be.

Mayor Roznovsky closed the public hearing closed at 6:31 p.m.

DISCUSS AND CONSIDER ORDINANCE NO. 2261 AMENDING THE B-2 CENTRAL BUSINESS PERMITTED USES – FIRST AND FINAL READING

Ms. Borth read the ordinance caption.

Councilmember Baker motioned to suspend the rules to require two readings of the ordinance, seconded by Councilmember Seth with all present members voting “aye,” motion carried.

On motion by Councilmember Singhania, seconded by Councilmember Broaddus with all present members voting “aye,” Ordinance No. 2261 amending the B-2 Central Business permitted uses passed on first and final reading.

DISCUSS AND CONSIDER AN ORDINANCE AMENDING CH. 90 SUBDIVISIONS TO MAKE CLEAR CUTTING A SEPARATE OFFENSE AND TO PROVIDE FOR CIVIL AND CRIMINAL PENALTIES FOR UNAUTHORIZED TREE REMOVAL – FIRST READING

Ms. Borth read the ordinance caption.

Ms. Russell reviewed the changes that were made.

- Clear Cutting Definition – removal of any or all trees from a parcel of land in the city.
 - Offense does not apply to people who own their own home on their own plot of land.
- Adjusted criminal penalties and added civil penalties.
 - 90-64. Same --penalties*
 - (a) Any person, firm or corporation who violates a provision of this article shall be guilty of a misdemeanor and upon conviction thereof may be fined in any amount not exceeding \$500.00. In cases of offenses involving the unauthorized removal of trees, the removal of each tree constitutes a separate offense. In cases of continuing violation, each separate day that a violation continues constitutes a separate offense.
 - (b) Any person, firm or corporation that removes one or more trees without city authorization, shall be subject to a civil penalty in the amount of \$200.00 times the total diameter inches of all unlawfully removed trees. Where it is not possible to determine the diameter inches of the removed trees, the diameter inches of the removed trees shall be assumed to be 200 diameter inches per acre.
 - (c) The imposition of a civil penalty may be appealed to the city’s planning commission. Any appeal must be made in writing and must be filed with the city manager within ten days following the date of notice of the civil penalty. The decision of the planning commission shall be final.
 - (d) Until the civil penalty is addressed, the City shall have the authority to hold any development related administrative approvals for the property on which the violation occurred and may impose a stop work order.

Councilmember Singhania suggested including the residential exemption so when someone reads the ordinance it is clear that residential is exempted. Ms. Russell said she would add it for the second reading.

On motion by Councilmember Singhania, seconded by Councilmember Seth with all present members voting “aye,” an ordinance amending Ch. 90 Subdivisions to make clear cutting a separate offense and to provide for civil and criminal penalties for unauthorized tree removal passed on first reading.

DISCUSS AND SUBMIT VOTES FOR THE 2022 TEXAS COALITION FOR AFFORDABLE POWER (TCAP) BOARD BALLOT

Ms. Borth reviewed the ballot and noted the following eight individuals as staff recommendations.

Carey Neal
Clifford Howard
Gilbert Reyna
Chris Steubing
Clayton Fulton
Mark Dempsey
Joe Compian
Jo Ella Wagner

Councilmember Broaddus motioned to submit votes for Carey Neal, Clifford Howard, Gilbert Reyna, Chris Steubing, Clayton Fulton, Mark Dempsey, Joe Compian and Jo Ella Wagner, seconded by Councilmember Baker with all present members voting “aye,” motion carried.

AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT FOR ENGINEERING DESIGN SERVICES WITH FREESE & NICHOLS FOR CAPITAL IMPROVEMENT PROJECTS INCLUDING A SEWER IMPROVEMENT STUDY FOR LIFT STATION 20 IN AN AMOUNT NOT TO EXCEED \$140,000

Ms. England stated this is part of the Lift Station 20 area. Staff recommends bringing in Freese & Nichols for a professional recommendation.

Mayor Roznovsky noted a problem where the system was over capacity and affected Best Western Hotel. This is to resolve an issue that has affected the area and needs to be addressed.

Ms. Borth also noted this dollar amount has been budgeted.

On motion by Councilmember Seth, seconded by Councilmember Broaddus with all present members voting “aye,” the city manager was authorized to execute a contract for engineering design services with Freese & Nichols for capital improvement projects including a sewer improvement study for Lift Station 20 in an amount not to exceed \$140,000.

UPDATE ON NEW BUSINESS

Mr. Walton reviewed the new business update with a few highlights below.

- Chick- Fil-A will be doing away with the indoor playground to expand the indoor dining and will also be expanding their drive thru.
- McDonalds is doing the same thing by doing an interior remodel to expand their drive thru.
- Lakewood Manor has 67 house permits issued.

Councilmember Singhania asked about the status of Neuragenex. Mr. Walton said that they are in the process of doing their demo to make the building fit their brand.

Mayor Roznovsky noted that Huisache Street is enduring a lot of damage with the construction going on for the new buildings. Residents may at some point request a new street, but this will fall in line with all the others. This was discussed at the time of development.

CITY MANAGER UPDATES

Use of emergency notifications – Ms. Borth went over how the system has been used. She noted the system has only been used for emergency situations such as disasters, emergency water shut offs. It is not used for blocked roads or non-emergency situations.

Ms. Borth stated there are some people who would like to receive more notifications while there are some who want less. She shared that there has been a request to receive notifications for chlorine conversions, or interrupted trash pick-up. Ms. Borth explained that the notifications can be set up for specific area that are being affected by a situation. She asked for council feedback.

Councilmember Seth felt that staff is doing a good job of informing people via social media, website and emails. She believed it should only be used for critical situations.

Councilmember Broaddus asked if a citizen could choose when to get notified. Ms. Borth explained how the system works and its options. She indicated that if someone registers to receive notifications, they will receive them all.

Mayor Roznovsky shared that during the chlorine conversion, there are people who say they are caught off guard. They may not read the newspaper, have social media and may not know there is a chlorine conversion. Some citizens are on the Next-Door app that the city is not on.

Mayor Roznovsky also shared that there were comments about the trash pick-up that was cancelled on Friday due to the freeze. The city cancelled the pick-up. People set their garbage out on Friday, left town and then their neighbors had to deal with it. The impact must be considered when deciding when to use the system.

Councilmember Broaddus asked if there is a different way to reach people for interrupted trash notifications. Ms. Borth noted the flash notifications can be utilized through the website that people can sign up for.

Ms. Borth shared that Everbridge is a very good host that the city pays \$15,000 a year for. She stated staff will investigate other ways to reach out.

Councilmember Seth said the responsibility goes both ways. The city is doing a good job of putting the information out and at some point, the citizens need to take responsibility.

Councilmember Blanchard suggested a mailer be sent out for the chlorine conversions. Ms. Borth stated a post card mailer would cost about \$10,000 with postage and printing. Ms. Borth stated staff has investigated how other cities handle the chlorine conversion.

Ms. Bernard will put together a press release with the newspaper for the next chlorine conversion. Staff will try to merge what other cities do and touch as many people as possible. Staff will also keep up the traditional routes with the website and social media.

Councilmember Seth did not want the city to pay to send out a mailer for routine maintenance that is required.

Mayor Roznovsky asked staff to investigate other options.

CONSTRUCTION UPDATES

Mr. Aguirre stated the Walgreens side of the downtown revitalization side should be complete in approximately two weeks.

Councilmember Broaddus asked when the last time Huisache has been touched. Mr. Aguirre said it has not been touched from Holly to Oak Drive. It is the same street from when Lakewood Manor was there.

The advertising will begin for the animal control center bids. The opening will be scheduled for next month.

The City Hall restroom bids are scheduled to be open soon. Ms. Borth noted that project may be delayed. There is \$200,000 that may be used for other things.

VISITOR COMMENTS

No visitor comments.

ITEMS OF COMMUNITY INTEREST

- Councilmember Singhania noted the painted solid yellow lines with reflectors on Circle Way off Oyster Creek Drive. He stated people keep using both eastbound and westbound lanes to go east. He was not sure how to prevent people from doing that.
- Councilmember Singhania also noted a lot of complaints from citizens regarding controllers not working for traffic lights. Ms. Borth asked Councilmember Singhania to forward the areas to her.
- Councilmember Baker mentioned lights that were out over the weekend. Staff did not receive any complaints on the blinking lights. They must have been state lights.
- Councilmember Baker announced the Martin Luther King Banquet will be held on Saturday, January 14, 2023. The parade will be held on Monday, January 16, 2023, in Freeport.
- Ms. Bernard mentioned an article in The Facts which featured Ms. Borth. She was pleased for the recognition women leadership received.

ADJOURNMENT

There being no further business the meeting adjourned at 7:07 p.m.

These minutes read and approved this 17 day of January 2023.

Gerald Roznovsky, Mayor

Sally Villarreal, City Secretary