

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 5<sup>th</sup> day of March, 2007 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Frank Hametner Mayor  
Tommy Knight Mayor Pro Tempore  
Jay Attaway, Council Member  
Vickie Abrego, Council Member

ABSENT: Grace Chapa, Council Member

ADMINISTRATIVE PERSONNEL PRESENT: Mike Sullinger, Interim City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT: None

STAFF PRESENT: Darren Gurley, Public Works Director  
Frank Truitt, City Inspector  
Gilbert Ritz, Fire Chief

OTHERS PRESENT: Ralph & Lu Arcemont, Capt. Fred Comingore, Hope Comingore, Don & Jeannie Brummett, Patty Gilden, Rosemary Upton, Jim Garner, Eva Young, S. Kingsley

(There may have been others present who did not sign in.)

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Hametner called the meeting to order at 7:02 p.m. on March 5, 2007.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the Invocation.

City Attorney Allen Lawrence led the Pledge of Allegiance to the United States Flag.

Mayor Hametner congratulated the boy's basketball team for going to State and Coach Hayes who has led the team to State four times.

**ITEM 3. CITIZEN'S COMMENTS.**

Ms. Hope Comingore asked why was the pledge to the Texas flag discontinued?

The City Manager stated there were visitors from out of state that felt uncomfortable pledging allegiance to the Texas flag.

Capt. Fred Comingore complimented Mayor Hametner on the job he was doing as Mayor and want to know why he was running for a Council seat instead of Mayor.

Mayor Hametner stated the City needed someone younger, healthier and more aggressive in the Mayor's seat.

**ITEM 4.**      **MAYOR'S QUESTION AND ANSWER SESSION.**

Capt. Fred Comingore asked what was the General Land Office's (GLO) interest rate on the \$3M loan to the City?

Mayor Hametner stated the interest rate proposed by the GLO was 5.25%.

Capt. Comingore asked were there any other terms with the GLO that will cost the City money such as cleanups?

Mayor Hametner stated the City would be responsible for doing Phase One, environmental assessment on all the harbor property, which the City has already started. He stated the City would then do Phase Two, testing and Phase Three.

Capt. Comingore asked did the City know the cost?

Mayor Hametner stated not until they got into it.

Capt. Comingore asked where was the City going to get the first \$3M and was that going to affect taxes?

Mayor Hametner stated it would probably not affect taxes in any significant way, no more than one cent and may not affect taxes at all because of the improvement in the tax base. He stated the City would issue Certificates of Obligation.

Capt. Comingore asked if the City gets a loan, will that raise City taxes?

Mayor Hametner stated no, taxes have been going down for the last few years, there is development that will increase the City's tax base which may lower the tax rate and allow the City to provide more services. He stated it would depend on how many services the public wants and how much the public wants to pay for them.

Capt. Comingore asked in the future, will people know and understand if negotiations will affect their taxes?

Mayor Pro Tempore Knight stated the City always holds public hearings on the budget.

Mayor Hametner stated he believed it was the consensus of the Council, past and present, that the City needed to acquire the Conn Brown Harbor property and settle the over 60 year old argument with the GLO. The City is acquiring \$30M to \$40M worth of property for \$6M. He stated the Legislature and Representative Juan Garcia helped the City acquire the GLO property at the least nominal cost with much work on the GLO's part and the property appraisal would have expired in two days.

Capt. Comingore asked if taxes were going to be raised, would people have an opportunity to voice their opinion or vote?

Mayor Hametner stated yes.

Ms. Eva Young spoke on the water rates and effect on the disabled. She asked that the Council consider lowering the water, sewer and garbage rates.

The City Manager stated the water rate study was finished, being evaluated and should be finished in two weeks.

Council Member Attaway stated at the time of the rate increase, the senior citizen rates were rolled back to the rate they were before the increase and there was a senior citizen exemption for utilities.

Ms. Young spoke on giving a homestead exemption for over 65 and disabled. She stated Calallen gives a \$65,000.00 exemption, Corpus Christi gives a \$50,000.00 exemption and wanted the City to give a homestead exemption to seniors and disabled.

Council member Attaway stated the City did not have the tax base to grant large exemptions.

The City Manager stated the \$5,000.00 senior/disabled exemption was left in the tax freeze ordinance.

**ITEM 5.**      **CONSENT AGENDA – “All of the Following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately.”**

A. Approval of Minutes of February 19, 2007.

B. Consider and Act on Approval of Ordinance 2007-3914 – Over 65 and Disabled Tax Freeze.

Mayor Pro Tempore Knight made the motion to approve the minutes of February 19, 2007 and Ordinance 2007-3914 Over 65 and Disabled Tax Freeze. Council Member Attaway seconded the motion and the motion carried unanimously.

**ITEM 6.**      **PROCLAMATION IN RECOGNITION OF SECOND LIEUTENANT DUDLEY IVES.**

Mayor Hametner read the proclamation recognizing Second Lieutenant Dudley Ives for his sacrifice to his Country in World War II.

**ITEM 7.**      **CONSIDER AND ACT ON APPOINTING A CHAMBER OF COMMERCE DIRECTOR TO MEMORIAL COMMISSION.**

Council Member Attaway made the motion to appoint Ms. DeeDee Weber, Chamber of Commerce Director, to the Memorial Commission. Mayor Pro Tempore Knight seconded the motion and the motion carried unanimously.

**ITEM 8.**      **CONSIDER AND ACT ON REQUEST OF ARANSAS PASS POLICE DEPARTMENT TO GRANT A VARIANCE TO INSTALL A 500 GALLON PROPANE TANK TO RUN THE CITY’S EMERGENCY GENERATOR.**

Mayor Pro Tempore Knight made the motion to approve the request of Aransas Pass Police Department to grant a variance to install a 500 gallon propane tank to run the City’s emergency generator. Council Member Attaway seconded the motion and the motion carried unanimously.

**ITEM 9.**      **CONSIDER AND ACT ON REQUEST OF CITY PROSECUTOR DONALD DAILEY AND ASSISTANT POLICE CHIEF/HARBORMASTER BILL HAINES TO APPROVE ORDINANCE 2007-3915 AMENDING THE CITY OF ARANSAS PASS CODE OF ORDINANCES SECTION 13-42, PENALTIES FOR VIOLATION.**

Council Member Attaway made the motion to approve the request of City Prosecutor Donald Dailey and Assistant Police Chief/Harbormaster Bill Haines to approve Ordinance 2007-3915 amending the City of Aransas Pass Code of Ordinances, Section 13-42, Penalties for Violation. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 10.**      **CONSIDER AND ACT ON A LEASE CONTRACT WITH CLEARWIRE US LLC FOR SPACE AT WATER TOWER SITE TO INSTALL WIRELESS COMMUNICATION EQUIPMENT.**

The City Attorney recommended approval of the contract subject to changes and/or additions to the contract by the City.

The City Manager also recommended approval of the contract subject to the changes and/or additions.

Mayor Pro Tempore Knight made the motion to approve the lease contract with Clearwire US LLC for space at water tower site to install wireless communication equipment subject to the changes and/or additions to the contract recommended by the City Attorney. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 11. CONSIDER AND ACT ON MAYOR'S ADVISORY COMMITTEE.**

Council Member Abrego stated the purpose of the committee was to study and make recommendations to the Mayor and City Council. The committee could also be the "sounding board" for citizens who have recommendations for the Council. The committee could do the leg work, so to speak, for the City Manager and Council. The committee would be composed of at least 12 members serving a two-year term and would be appointed by the City Council. The committee would elect a Chairperson, Vice Chairperson and Secretary and should meet at least once a month. The committee would first meet with the City Manager to discuss any recommendations they have and then present them to the Mayor and City Council. The Advisory Committee should have, at least, subcommittees for Parks & Recreations, Community Improvements and Economic Development. The Mayor's Advisory committee would give the citizens of Aransas Pass input on what they would like to see happen in their City. The City has citizens with some great ideas and they need to be heard. The committee would serve as a right hand to our City Manager.

The City Manager stated with the number of committees being formed, the City Secretary is being overwhelmed with meeting and doing minutes for the committees. He stated committees and boards should have their secretaries take over those duties.

Council Member Attaway made the motion to reactivate the Mayor's Advisory Committee. Mayor Pro Tempore Knight seconded the motion and the motion carried unanimously.

**ITEM 12. CONSIDER AND ACT ON DATE FOR CITY COUNCIL WORKSHOP FOR CITY PLANNING.**

Council Member Abrego stated there should be a plan for the future of the City and she would like a workshop scheduled.

After discussion, Mayor Hametner suggested having a city planning workshop after the new city manager is hired. He stated a facilitator was needed for this type of workshop.

Council Member Abrego stated the Chamber of Commerce used a professor from Texas A&M that sent the Chamber members a questionnaire and conducted the meeting.

The City Manager stated he thought it would be better to have the workshop after the election. He stated the Council would be having workshops on the water rate study and the interest rate for financing the harbor land purchase during the next two months.

No action was taken.

**ITEM 13. DISCUSSION REGARDING CONN BROWN HARBOR.**

The City Manager stated things were looking good and the crews would start removing sunken boats in the harbor soon, including a sunken boat belonging to the Coast Guard.

Mayor Hametner encouraged citizens to let the City Manager and Council know what they would like to see happen at the harbor.

Mayor Pro Tempore Knight stated the Council would have to make a decision (about lease rates) because there were people standing in line to lease space in the harbor.

The City Manager stated he had the information needed for a workshop to set harbor rates that would be fair to everyone.

**ITEM 14.**      **CITY MANAGER'S REPORT.**

The City Manager stated the financial audit was done and the auditor, Mr. Mike Arnold, would make his report to the Council at the next meeting.

Judge Cox introduced the City's new magistrate Judge Carson Myers, Judge Deal's (City of Ingleside) associate who will magistrate in Municipal Court. She stated Judge Carson was well qualified and experienced.

Mayor Hametner and the Council welcomed Judge Myers to the City.

**ITEM 18.**      **ADJOURNMENT OF MEETING.**

Mayor Pro Tempore Knight made the motion to adjourn the meeting. Council Member Abrego seconded the motion and the motion carried unanimously.

Mayor Hametner adjourned the meeting at 7:58 p.m.

ATTEST:

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Frank C. Hametner, Mayor

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Ada Owens, City Secretary