

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

On this the 21st day of April, 2008 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: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Frank Hametner, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT:

STAFF PRESENT: Darrell Jones, Police Chief
Frank Truitt, City Inspector
Don Brummett, Acting Public Works Director
Gilbert Ritz, Fire Chief

OTHERS PRESENT: Ralph & Lu Arcemont, Jim & Alpha Covington, Marilyn Rimer, Jeanie Brummett, David Hogan, Terry Orf, Dennis Limon, Earl Buckmaster, Phil & Nell Reynolds, Eva Young

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

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:03 p.m. on April 21, 2008.

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

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

ITEM 3. 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 Councilmember 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 April 7, 2008.
- B. Consider and Act on Ordinance 2008-3939 – Amending Section 28-22 of the Code of Ordinances of the City of Aransas Pass, Texas, Pertaining to twenty mile per hour speed limits on certain streets; Providing for a repealer clause; and Providing for an effective date.

Councilmember Mayer made the motion to approve the Consent Agenda. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 4. PUBLIC HEARING ON REQUEST OF STEVE COUCHMAN TO REZONE 5.237 ACRES, LOT 1, PARROT ISLAND ADDITION, NUECES COUNTY, TEXAS, 2100 E. HIGHWAY 361, FROM AGRICULTURE TO GENERAL BUSINESS TO OPERATE A RESTAURANT AND HOTEL.

City Attorney Allen Lawrence declared the Public Hearing open at 7:05 p.m. on the request of Steve Couchman to rezone 5.237 acres, Lot 1, Parrot Island Addition, Nueces County, Texas, 2100 E. Highway 361, from Agriculture to General Business to operate a restaurant and hotel. He asked Mr. Couchman to come forward to speak for his request.

Mr. Couchman stated everyone was familiar with his project as he had worked on the project for a long time. He stated there was a possibility they may not open a hotel but would open the restaurant.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:07 p.m. and stated the Planning and Zoning Commission had previously voted 7-0 to recommend approving the rezoning.

ITEM 5. CONSIDER AND ACT ON REQUEST OF STEVE COUCHMAN TO REZONE 5.237 ACRES, LOT 1, PARROT ISLAND ADDITION, NUECES COUNTY, TEXAS, 2100 E. HIGHWAY 361, FROM AGRICULTURE TO GENERAL BUSINESS TO OPERATE A RESTAURANT AND HOTEL.

Mayor Pro Tempore Attaway made the motion to approve the request of Steve Couchman to rezone 5.237 acres, Lot 1, Parrot Island Addition, Nueces County, Texas, 2100 E. Highway 361, from Agriculture to General Business to operate a restaurant and hotel. Councilmember Mayer seconded the motion and the motion carried unanimously.

ITEM 6. PUBLIC HEARING ON REQUEST OF LEONARD KEORTH FOR THE RENEWAL OF A CONDITIONAL USE PERMIT FOR A TATTOO STUDIO BUSINESS. THE PROPERTY IS DESCRIBED AS LOT 3, BLOCK 550, 305 S. COMMERCIAL. THE PROPERTY IS ZONED GENERAL BUSINESS.

City Attorney Allen Lawrence declared the Public Hearing open at 7:09 p.m. on the request of Leonard Keorth for the renewal of a Conditional Use Permit for a Tattoo Studio business. The property is described as Lot 3, Block 550, 305 S. Commercial. The property is zoned General Business. He stated the Planning and Zoning Commission had also recommended approval of this request. He asked Mr. Keorth to come forward and speak for his request.

Councilmember Abrego asked were there any complaints regarding loitering outside the tattoo studio?

Police Chief Darrell Jones stated there had been no complaints at all.

Mr. Keorth stated he was asking for renewal of his Conditional Use Permit for two years and a change of operating hours to 12:00 p.m. to 10:00 p.m.

The City Attorney stated the Planning and Zoning Commission had recommended approving the conditions of two years, extended hours and previous conditions that were in the original permit.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:11 p.m.

ITEM 7. CONSIDER AND ACT ON REQUEST LEONARD KEORTH FOR THE RENEWAL OF A CONDITIONAL USE PERMIT FOR A TATTOO STUDIO BUSINESS. THE PROPERTY IS DESCRIBED AS LOT 3, BLOCK 550, 305 S. COMMERCIAL. THE PROPERTY IS ZONED GENERAL BUSINESS.

Councilmember Abrego made the motion to approve the request of Leonard Keorth for the renewal of a Conditional Use Permit for a Tattoo Studio business at Lot 3, Block 550, 305 S. Commercial with the conditions of two years, extended hours and previous conditions that were in the original permit.. Councilmember Hametner seconded the motion and the motion carried unanimously.

ITEM 8. PUBLIC HEARING ON SUBSTANDARD BUILDING, LOTS 12 – 14, BLOCK 754, 214 N. 12TH STREET, OWNER: ANNETTE AGUILAR, FOR THE PURPOSE OF APPROVING DEMOLITION.

City Attorney Allen Lawrence declared the Public Hearing open at 7:12 p.m. on the substandard building, Lots 12 – 14, Block 754, 214 N. 12th Street, Owner: Annette Aguilar, for the purpose of approving demolition

City Inspector Frank Truitt stated the mobile home on the property had caved in and he was requesting approval to remove the mobile home. He stated the property was close to public housing and should be demolished before a child gets hurt on the property. He stated there had been no response to certified letters from the Inspections Department to the property owner for two years.

The City Attorney asked did anyone present have any questions or comments. Seeing no one, the City Attorney closed the Public Hearing at 7:15 p.m.

ITEM 9. CONSIDER AND ACT ON SUBSTANDARD BUILDING, LOTS 12 – 14, BLOCK 754, 214 N. 12TH STREET, OWNER: ANNETTE AGUILAR, FOR THE PURPOSE OF APPROVING DEMOLITION.

Councilmember Mayer made the motion to approve the demolition of the substandard building, Lots 12-14, Block 754, 214 N. 12th Street. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 10. CONSIDER AND ACT ON AWARDED BID FOR CITY HALL ADDITION AND RENOVATION.

This item was tabled April 7, 2008 and must be untabled for consideration and action.

Mayor Pro Tempore Attaway made the motion to untable Item 10. Councilmember Hametner seconded the motion and the motion carried unanimously.

The City Manager stated at the last Council meeting, the Council indicated they would prefer that the addition and renovation be done with the four alternates. He stated the low bidder for the complete renovation and addition was Teal Construction with a bid of \$689,716.00. He stated the City had approximately \$555,000.00 that was borrowed for the project. He stated the City would need \$135,000.00 to \$140,000.00 which was available from the General Fund.

Terry Orf, TKO Architect, stated Teal Construction was presently constructing the Civic Center next door and their supervisor would be available for the City Hall project. He stated it would be to the City's advantage to have both projects going at the same time.

After discussion, Mayor Pro Tempore Attaway made the motion to award the bid for the City Hall addition and renovation to Teal Construction for \$689,716.00. Councilmember Abrego seconded the motion and the motion carried unanimously.

ITEM 11. CONSIDER AND ACT ON REQUEST OF ARANSAS PASS FOR YOUTH TO WAIVE OR DISCOUNT ENTRY FEES TO AQUATICS CENTER FOR THE 2008 SWIMMING SESSIONS.

Mayor Knight stated Aransas Pass for Youth was asking for entry to the pool for 6 days in June and seven days in July. He stated in past years the Council had approved the reduced fee of \$1.00 per entry.

Mayor Pro Tempore Attaway made the motion to approve the request of Aransas Pass for Youth to discount entry fee of \$1.00 per entry to Aquatics Center for the 2008 swimming sessions. Councilmember Abrego seconded the motion and the motion carried unanimously.

ITEM 12. CONSIDER AND ACT ON REQUEST OF CHAMBER OF COMMERCE FOR THE CITY TO PROVIDE LIABILITY INSURANCE AND ASSISTANCE FROM THE POLICE AND PUBLIC WORKS DEPARTMENTS FOR THE 2008 SHRIMPOREE AND PERMIT WAGNER'S CARNIVAL TO OPEN ON THURSDAY EVENING (JUNE 5, 2008) PRIOR TO SHRIMPOREE.

Arnold Govella, Chamber of Commerce Director, stated the Chamber was asking for the same thing as previous years, nothing different.

Councilmember Mayer made the motion to approve the request of the Chamber of Commerce for the City to provide liability insurance and assistance from the Police and Public Works Departments for the 2008 Shrimpoeree and permit Wagner's Carnival to open on Thursday evening (June 5, 2008) prior to Shrimpoeree. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 13. CONSIDER AND ACT ON APPROVING REQUEST OF POLICE CHIEF DARRELL JONES TO CHANGE SPEED LIMIT FOR W. YOAKUM FROM HARRISON BLVD. TO S. AVENUE A TO 25 MPH.

Police Chief Darrell Jones stated the three different speed limits on W. Yoakum were confusing to drivers and recommended a speed limit of 25 MPH.

After discussion, Councilmember Abrego made the motion to approve the request of Police Chief Darrell Jones to change speed limit for W. Yoakum from Harrison Blvd. to S. Avenue A to 25 MPH. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 14. CONSIDER AND ACT ON APPROVING REQUEST OF POLICE CHIEF DARRELL JONES TO CHANGE SPEED LIMITS FOR N. AVENUE A TO 30 MPH FROM W. WHEELER AVENUE TO W. MYRTLE AVENUE AND TO 45 MPH FROM W. MYRTLE AVENUE TO THE ENTRANCE ONTO HIGHWAY 35 BYPASS.

The Police Chief stated there was no Ordinance at this time for the speed limit on N. Avenue A. He stated there was a speed limit sign installed by San Patricio County, but no Ordinance to support it. He stated the increasing speed limit would allow vehicles to increase their speed as they entered the Highway 35 Bypass.

Mayor Pro Tempore Attaway made the motion to approve the request of Police Chief Darrell Jones to change speed limits for N. Avenue A to 30 MPH from W. Wheeler Avenue to W. Myrtle Avenue and to 45 MPH from W. Myrtle Avenue to the entrance onto Highway 35 Bypass. Councilmember Mayer seconded the motion and the motion carried unanimously.

ITEM 19. **REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:** *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.*

Mayor Knight stated the last derelict shrimp boat had been removed from the inner harbor and there were three boats tied at Coastline waiting to be hauled away.

The City Manager stated Allied Waste picks up brush Monday through Friday, but to remove bulky items from the curbs more quickly, the City will be picking up brush on Thursday and Allied Waste will pick up bulky items on Thursdays. He stated if citizens would call Public Works for bulky item pick ups, Public Works could schedule the pick ups.

The City Manager stated the slab for the new Civic Center is 95% complete and the steel building is due to be delivered the week of May 19 (2008).

Eva Young complained about trash on her property and City right of way.

ITEM 20. **ADJOURNMENT OF MEETING.**

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

Mayor Knight adjourned the meeting at 7:30 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary