

CITY OF DEER PARK

CC 77-110
PZ 51-07

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1711th REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD IN CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON JUNE 5, 2018, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON	MAYOR
SHERRY GARRISON	COUNCILWOMAN
THANE HARRISON	COUNCILMAN
TOMMY GINN	COUNCILMAN
BILL PATTERSON	COUNCILMAN
RON MARTIN	COUNCILMAN
RAE A. SINOR	COUNCILWOMAN

PLANNING AND ZONING COMMISSION PRESENT:

DON TIPPIT	COMMISSIONER
DOUGLAS COX	COMMISSIONER
RAY BALUSEK	COMMISSIONER
STAN GARRETT	COMMISSIONER

OTHER CITY OFFICIALS PRESENT:

JAMES STOKES	CITY MANAGER
GARY JACKSON	ASSITANT CITY MANAGER
SHANNON BENNETT	CITY SECRETARY
JIM FOX	CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the meeting to order at 7:30 p.m.
2. INVOCATION – The invocation was given by Police Chief Greg Grigg.
3. PLEDGE OF ALLEGIANCE – Councilman Martin led the Pledge of Allegiance to the United States Flag and the Texas Flag.
4. JOINT PUBLIC HEARING ON THE REQUEST OF WELLS FARGO BANK TO REZONE 0.4616 ACRES SITUATED IN THE G. PATRICK SURVEY, ABSTRACT 624 LOTS 7 & 8 AND A PORTION OF AN UNDEVELOPED 30 FOOT PUBLIC ALLEY OUT OF BLOCK 13, SHELL CITY, LOCATED ON THE SOUTH SIDE OF SIXTH STREET, AND 100 FEET EAST OF THE INTERSECTION WITH CENTER STREET FROM A SINGLE FAMILY 2 (SF-2) TO GENERAL COMMERCIAL (GC) - Mayor Mouton opened the hearing on behalf

of the City Council. Chairman Tippit opened the hearing on behalf of the Planning and Zoning Commission.

Mayor Mouton called for those persons desiring to speak in favor of the request.

- a. Lacy Bell of Wells Fargo Bank, commented, "I am here on behalf of the applicant of Wells Fargo Bank. I am here to speak for the rezoning application. I am here if there are any questions."

Mayor Mouton called for those persons desiring to speak against the request.

- a. James Sparten, 120 E. 6th Street, commented, "I live next door to the Wells Fargo Bank. Last time we were here, I was under the influence that they were going to rezone the property, sell and build a commercial property next to me. I do not want it approved. I have been living on 6th Street since 1997. It's always been residential. When you put another building there, it is going to open up everything on the back side of my house to whatever happens. If they're only going to rezone it and the bank keep it, I don't have a problem with that, but if they rezone the property and then sell it where it's commercial zoning. What kind of people are going to go there at different times of the night and everything else? Ever since I have been in the house, I've worked at Rohm Haas. I saw three robberies happen at the bank, people are trying to rip off the ATM machine at night. I don't want the crime scene to come up if it's rezoned general commercial. I don't think it going to help the public out as far as our housing development to resale our property. It's going to bring the value down because no one will want to live next to a commercial property. Thank you."

The hearing was closed by Mayor Mouton on behalf of the City Council and Chairman Tippit on behalf of the Planning and Zoning Commission.

5. AWARDING BID FOR A ONE-YEAR SUPPLY OF GASOLINE AND DIESEL FUEL – Motion made by Councilwoman Garrison and seconded by Councilman Ginn to award bid for a one-year supply of gasoline and diesel fuel to Lykins Energy Solutions, the lowest bidder based on the +/- OPIS rate. Motion carried 7 to 0.
6. CONSENT CALENDAR – Motion was made by Councilman Harrison and seconded by Councilwoman Sinor to approve the consent calendar as follows:
 - a. Approval of tax refund to Stockard Realty Partnership LTD in the amount of \$2,214.71 due to a value decrease granted by Harris County Appraisal District.
 - b. Approval of tax refund to Refund Advisory Corp in the amount of \$648.25 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.
 - c. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$2,044.15 due to a value decrease granted by Harris County Appraisal District.
 - d. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$1,157.36 due to a value decrease granted by Harris County Appraisal District.

- e. Approval of tax refund to Ryan Tax Compliance Services LLC in the amount of \$1,043.58 due to a value decrease granted by Harris County Appraisal District.
- f. Approval of tax refund to Karol Davis in the amount of \$788.36 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.
- g. Approval of tax refund to Refund Advisory Corp. in the amount of \$562.31 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.
- h. Approval of tax refund to National Tax Search LLC in the amount of \$4,053.60 due to a value decrease granted by Harris County Appraisal District.
- i. Approval of tax refund to National Tax Search LLC in the amount of \$4,781.49 due to a value decrease granted by Harris County Appraisal District.
- j. Acceptance of completion of the Manhole Rehabilitation Project Phase - 2.
- k. Acceptance of completion of the Electronic Marquee Message Signs Project.

Motion carried 7 to 0.

7. COMMENTS FROM THE AUDIENCE

- a. Sanders Lynn McClure, commented, "I am best friends with this lady here who was a WWII Veteran and a mother of six. I take credit of being the sixth child because I was born in 1956 like her other daughter who is the same age as me. Andy Koeing lives here in Deer Park. We attend the Maxwell Center regularly and I am living with her at her home. I am her caretaker. The great thing about Andy, she loves to fish and about two weeks ago, we were at her ranch beyond the statue of Sam Houston, past Huntsville, you take a left and drive for two hours. I do not know where we were. I have no idea. I am very proud of her. I thank you Mayor for allowing me to give her some recognition. I wish her six kids could stand before you and see the ray of light she has formed. I want to say thank you. Her name is Andy. She attends the Maxwell Center everyday. I wanted to let you all know that WWII veterans exist in Deer Park at the age of 96. If there is ever a chance to throw the first pitch out, we were at the Astros game last week and I made my way down to tell them I had someone very special to throw out the first pitch, but Scott from HEB got that privilege. Thank you."

Mayor Mouton commented, "In Deer Park, myself and Council always like to honor those who have served our country. We thank you so much for taking the time out to be here tonight."

8. CONSIDERATION OF AND ACTION ON A PURCHASE FROM FUQUAY, INC., THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM TO PERFORM THE REHABILITATION OF STORM LINES ON MEADOWLARK STREET AND PRINCETON LANE – Motion was made by Councilman Martin and seconded by

Councilwoman Garrison to approve the purchase from Fuquay, Inc. through the Buy Board Cooperative purchasing program to perform the rehabilitation of storm lines on Meadowlark Street and Princeton Lane. Motion carried 7 to 0.

9. CONSIDERATION OF AND ACTION ON ACCEPTANCE OF SOCCER RF COMMITTEE'S RECOMMENDATION TO AWARD THE SOCCER RFP TO DEER PARK SOCCER FC - Motion was made by Councilman Patterson and seconded by Councilman Martin to accept the Soccer RFP Committee's recommendation to award the Soccer RFP to Deer Park Soccer FC. Motion carried 7 to 0.
10. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO APPROVE THE SPORTS ORGANIZATION UTILIZATION AGREEMENT FORM FOR SOCCER – Motion was made by Councilman Ginn and seconded by Councilman Patterson to approve the Sports Organization Utilization Agreement form for soccer. Motion carried 7 to 0.
11. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO APPROVE THE SPORTS ORGANIZATION UTILIZATION AGREEMENT FORM FOR GIRLS' SOFTBALL - Motion was made by Councilwoman Garrison and seconded by Councilwoman Sinor to approve the Sports Organization Utilization Agreement form for Girls' Softball. Motion carried 7 to 0.
12. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO APPROVE THE SPORTS ORGANIZATION UTILIZATION AGREEMENT FORM FOR BASEBALL - Motion was made by Councilman Patterson and seconded by Councilwoman Sinor to approve the Sports Organization Utilization Agreement form for baseball. Motion carried 7 to 0.
13. CONSIDERATION OF AND POSSIBLE ACTION TO APPROVE A CONTRACT FOR THE COMPLETION OF THE DOW PARK PAVILION AND IMPROVEMENTS PROJECT (DPCDC PROJECT) – Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to approve the contract for the completion of the Dow Park Pavilion and Improvements Project (DPCDC Project).

Assistant City Manager Gary Jackson suggested the motion be amended to give staff authorization to prepare and execute a contract with Millis Development and Construction, LLC.

Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to amend the motion to give Staff authorization to prepare and execute a contract with Millis Development and Construction, LLC.

Motion carried 7 to 0.

14. CONSIDERATION OF AND ACTION ON DESIGNATION OF MAYOR PRO-TEM – Motion was made by Councilman Ginn and seconded by Councilwoman Sinor to approve the designation of Mayor Pro-Tem. Motion carried 7 to 0.

15. CONSIDERATION OF AND ACTION ON THE PURCHASE OF BLEACHERS FROM PLAY & PARK STRUCTURES VIA BUY BOARD FOR GIRLS SOFTBALL RENOVATIONS TYPE B PROJECT – Motion was made by Councilman Patterson and seconded by Councilwoman Garrison to accept the purchase of bleachers from GT Grandstands via Buy Board for the Girls Softball renovations Type B Project in the amount of \$79,192.00. Motion carried 7 to 0.
16. CONSIDERATION OF AND ACTION ON ENTERING INTO AN AGREEMENT WITH A&R ENGINEERING FOR PAVEMENT TESTING FOR THE CURRENT STREET REPLACEMENT PROJECT – Motion was made by Councilwoman Sinor and seconded by Councilman Martin to enter into an agreement with A & R Engineering for pavement testing for current Street Replacement Project. Motion carried 7 to 0.
17. CONSIDERATION OF AND ACTION ON THE RENEWAL OF AN AGREEMENT WITH THE AMERICAN NATIONAL RED CROSS FOR SPECIALIZED TRANSPORTATION SERVICES - Motion was made by Councilman Harrison and seconded by Councilman Ginn to renew the agreement with the American National Red Cross for Specialized Transportation Services. Motion carried 7 to 0.
18. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE JOINT PUBLIC HEARING AND A PROPOSED ORDINANCE ON THE REQUEST OF WELLS FARGO BANK TO REZONE 0.4616 ACRES SITUATED IN THE G. PATRICK SURVEY, ABSTRACT 624 LOTS 7 & 8 AND A PORTION OF AN UNDEVELOPED 30 FOOT PUBLIC ALLEY OUT OF BLOCK 13, SHELL CITY, LOCATED ON THE SOUTH SIDE OF SIXTH STREET, AND 100 FEET EAST OF THE INTERSECTION WITH CENTER STREET FROM A SINGLE FAMILY 2 (SF-2) TO GENERAL COMMERCIAL (GC) - After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Martin to adopt on first and final reading Ordinance No. 3985, captioned as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 3886 OF THE CITY OF DEER PARK, TEXAS, ADOPTED MARCH 21, 2017, AS AMENDED BY TAKING 0.4616 ACRES SITUATED IN THE G. PATRICK SURVEY, ABSTRACT NO. 624, LOTS 7-8, TOGETHER WITH A 30 FOOT STRIP BETWEEN LOTS 1-6 AND LOT 7, BLOCK 13, SHELL CITY, CITY OF DEER PARK, HARRIS COUNTY, TEXAS OUT OF THE SINGLE FAMILY-TWO (SF-2) ZONING DISTRICT AND PLACING IT IN THE GENERAL COMMERCIAL (GC) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES BY A FINE UP TO \$2,000.00 FOR EACH DAY'S VIOLATION OF THE PROVISIONS OF SUCH ORDINANCE, AS AMENDED; AND DECLARING AN EMERGENCY.

Councilwoman Sinor asked, "Has it been mentioned what's going in on that corner?"

Commissioner Garrett answered, "No."

Motion carried 7 to 0.

19. ADJOURN – Mayor Mouton adjourned the meeting at 7:53 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor

Don Tippit
Planning and Zoning
Chairman