

MINUTES OF A REGULAR MEETING OF THE GOVERNING BODY OF PELICAN BAY

On the 8th day of March 2021 at 7:00 P.M. the Council of the City of Pelican Bay convened in a Regular Meeting, in the City Hall, and notice of said Meeting having time, place, and subject thereof, having been posted as prescribed in article 6261-17 V.S.C.S.

CALL TO ORDER

The meeting was called to order at 7:00 p.m.

ROLL CALL AND DECLARATION OF QUORUM

Mayor Morley and Aldermen Dryden, Keller, Sellers, Oberg, and Wyatt were present. A quorum was declared.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Josh Tollison gave the invocation and Mayor Morley let the Pledge of Allegiance.

CITIZEN PARTICIPATION

Any remarks which may attack the character of employees or council members are considered to be out of order and are prohibited. The Council has the authority to protect employees and itself from annoyance by disruptive individuals during the meeting. The Council at any time has the authority to have any person who attempts to harass, gesture, use profanity, or act in a hostile manner to be required to leave or escorted from the property by law enforcement. (TEXAS PENAL CODE Section 2.05 Disrupting Meeting or Procession. (a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance; (b) an offense under this section is a Class B Misdemeanor).

Scott Meeks spoke of his concern about the erosion on Sandy Beach Road.

CONSENT AGENDA

- A. APPROVAL OF MINUTES FROM FEBRUARY 8, 2021 MEETING**
- B. APPROVAL OF JANUARY AND FEBRUARY POLICE DEPARTMENT REPORT**
- C. APPROVAL OF FEBRUARY ANIMAL CONTROL/ORDINANCE REPORT**
- D. APPROVAL OF JANUARY FIRE DEPARTMENT REPORT**

Alderman Dryden made a motion to approve the Consent Agenda. Alderman Sellers seconded the motion. Motion passed 3-2 (Aldermen Keller and Wyatt were the NO votes).

EXECUTIVE SESSION PURSUANT TO SECTION 551.074, PERSONNEL MATTERS, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, TO-WIT: BRANDY R. BENNETT.

Council adjourned to Executive Session at 7:05 p.m. and reconvened in Open Session at 7:21 p.m.

DELIBERATION AGENDA

A. ACTION ON ANY MATTER(S) LISTED FOR DELIBERATION IN EXECUTIVE SESSION.

Alderman Keller made a motion to appoint Brandy R. Bennett as a Reserve Officer. Alderman Sellers seconded the motion. Motion passed 5-0. Officer Bennett was sworn in.

B. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE A REPLAT REQUEST FROM MATTHEW PRUITT AT 1961 LONG CIRCLE.

Alderman Dryden made a motion to approve the replat request from Matthew Pruitt at 1961 Long Circle. Alderman Wyatt seconded the motion. Motion passed 5-0.

C. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE A CONTRACT BETWEEN CITY OF PELICAN BAY AND LARRY LEACH FOR WEBHOSTING SERVICES.

This item was table to the next meeting.

D. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE POLICE DEPARTMENT RACIAL PROFILING STATISTICS FOR CALENDAR YEAR 2020.

Alderman Dryden made a motion to approve the Police Department Racial Profiling Statistics for Calendar Year 2020. Alderman Wyatt seconded the motion. Motion passed 5-0.

E. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE RESOLUTION #268 DESIGNATING A PROFESSIONAL ENGINEERING FIRM FOR THE 2021-2022 TXCDBG COMMUNITY DEVELOPMENT FUND APPLICATION AND PROJECT IMPLEMENTATION, ADMINISTERED BY THE TEXAS DEPARTMENT OF AGRICULTURE.

Alderman Keller made a motion to approve Resolution #268 designating Birkhoff, Hendricks and Carter LLP as the professional engineering firm for the 2021-2022 TxCDBG Community Development Fund application and project implementation, administered by the Texas Department of Agriculture. Alderman Dryden seconded the motion. Motion passed 5-0.

F. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPOINT MEMBERS TO A PLANNING AND ZONING COMMISSION.

Alderman Wyatt made a motion to appoint the following members to a Planning and Zoning Commission: Matthew Gassen, Kristine Harrington, Scott Meeks, Darrell Contreras, and Bartley Scarbrough. Alderman Keller seconded the motion. Motion passed 4-0 (Alderman Sellers abstained).

G. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE A TEMPORARY MORATORIUM ON SPECIFIC USE PERMITS FOR MANUFACTURED HOMES UNTIL COUNCIL RECEIVES WRITTEN LEGAL COUNCIL OPINION REGARDING ORDINANCE 180, SECTIONS 25.1 – 25.2.

Alderman Keller made a motion to request written legal counsel regarding the criteria for rejection reasons of Specific Use Permits specifically of manufactured homes. Alderman Dryden seconded the motion. Motion passed 5-0.

H. UPDATE REGARDING NOTICE OF VIOLATION FOR COMPLAINT INVESTIGATION FROM TEXAS COMMISSION OF ENVIRONMENTAL QUALITY.
Mayor Morley gave an update stating that we have complied with TCEQ's requirements and will not be fined. Council requested that this be communicated to the public with a press release.

I. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO SCHEDULE A WORKSHOP ON CODE ENFORCEMENT.

Alderman Keller made a motion to create a workshop on code enforcement scheduled on Wednesday, March 17, 2021 at 9:00 a.m. Alderman Wyatt seconded the motion. Motion passed 5-0.

J. ADJOURNMENT.

Alderman Oberg made a motion to adjourn. Alderman Keller seconded the motion. Adjournment was at 8:25 p.m.


PASSED AND APPROVED THIS 12TH DAY OF APRIL 2021.

APPROVED:



Glen Oberg, Mayor

ATTEST:



Teri Anthony, City Secretary