

**MINUTES
SPECIAL MEETING & WORKSHOP
CITY OF NASSAU BAY
CITY COUNCIL
AUGUST 27, 2007
7:00 PM**

MEMBERS OF COUNCIL PRESENT: Mayor Don Matter and Councilmembers John Haugen (arrived in Chambers at 8:11 pm), Bette Johnson, Ron Swofford, David Braun, Mark Denman, and Joe Stilwell

MEMBERS OF COUNCIL ABSENT: None.

OTHER CITY OFFICIALS PRESENT: City Manager John Kennedy, City Secretary Pat Jones, Finance Director David Quick, Police Chief Ron Wroblewski, Fire Marshal Tommy Cones, Building Official Larry Boles, EMS Administrator David Lehmann, and Planning Commission Chairman Roscoe Lee.

Also present were James Vick of SWA Group and Sue Darcy of Marsh Darcy Partners.

PRESIDING: Mayor Matter.

CALL TO ORDER

Mayor Matter called the meeting to order at 7:00 pm

ROLL CALL

All members of Council were present with the exception of Councilmember Haugen whose flight had been delayed. As stated above, Mr. Haugen arrived at 8:11 pm.

CHANGE IN THE ORDER OF BUSINESS

Mayor Matter asked that the order of New Business and Other Business on the agenda be switched.

OTHER BUSINESS

Meeting recessed to Executive Session at 7:01 pm with Mayor Matter reading from the posted agenda the following items to be discussed:

§551.072: Deliberation Regarding Real Property – Discussion Regarding Real Estate Matters.

§551.087: Deliberation Regarding Economic Development Negotiations – Discussion of Economic Development Negotiations.

Meeting returned to Open Session at 7:41 pm.

OLD BUSINESS

Ordinance Amending Ordinance No. O2007-628 and Section 22.33, Chapter 22, Code of Ordinances, Redefining Regulations for Rafting of Boats

(City Secretary Jones had posted this item as a New Business item when it should have been posted under Old Business. Before the meeting, Ms. Jones sought a ruling from City Attorney Gregg who advised the item could be heard because the main consideration, i e., the 72 hour posting, had been met)

City Secretary Jones read the caption of the ordinance (second and final reading):

CAPTION:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NASSAU BAY, TEXAS, AMENDING ORDINANCE NO. O2007-628 AND SECTION 22.33 OF CHAPTER 22 OF THE CODE OF ORDINANCES, REDEFINING THE DISTANCE RAFTED VESSELS MAY BE LOCATED TO PRIVATE PROPERTY LOT LINES WITHIN THE TERRITORIAL LIMITS OF THE CITY OF NASSAU BAY; PROVIDING FOR CODIFICATION, PROVIDING FOR PUBLICATION, PROVIDING FOR SEVERABILITY, AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

(Said Ordinance is of record in Ordinance Book No. 11 of the City of Nassau Bay, Texas, being Ordinance No. O2007-631.)

It was moved by Councilmember Johnson, seconded by Councilmember Swofford, that the ordinance be approved on second and final reading.

Mayor Matter said this was the second reading of the ordinance which takes the distance for rafting back to 100 yards from residential property and not from the peninsula or other public property.

Councilmember Denman said he was concerned that this created a loophole where a boater could anchor right off a residential property.

Councilmember Swofford said that Council might not want to be that restrictive and used the example of someone wanting to fish in close proximity.

Councilmember Denman said some of his nearby residents have had boaters anchoring within five feet of their property lines.

Mr. Swofford said that is part of buying a piece of property on the water.

Mr. Denman said he understood, but that he was passing on information given to him by people living on the water.

Councilmember Swofford said, as an example, that you couldn't keep someone from parking on the street in front of your house.

Mayor Matter said we discussed this at the last Council session with it being said we wanted to get something on the books before summer ended regarding residential lot lines. We already have ordinances addressing noise, profanity, and disorderly conduct that the Police enforce. I've seen a tremendous improvement on the waterways recently, Mr. Matter said. We have to remember the water is public land like our parks or streets.

Councilmember Denman said he didn't think we needed to make a change this evening but asked that it be addressed later on if it becomes a problem.

There being no further discussion, motion passed 6 to 0, with Councilmember Haugen not yet present in Chambers and voting.

NEW BUSINESS

Any Action Resulting from Discussion of Real Estate Matters in Executive Session

Any Action Resulting from Discussion of Economic Development Negotiations in Executive Session

The above items had been posted should Council want to take any action after its discussion in Executive Session. No action was taken on either item.

WORKSHOP

Discussion of City Manager's Proposed Budget for Fiscal Year 2007/2008

Mayor Matter began the discussion by saying he would like to lower this year's tax rate at least by one cent or approximately \$38,000 to show a good faith effort for the residents. The whole point of redevelopment was to take some of the burden off our homeowners and this would be a good start, he said

There ensued a lengthy discussion among Council and Staff on how to best do this. Expected revenue from building permit fees for the proposed new development was considered along with various funds of the budget which might be impacted this year or the next by the redevelopment. Expected sales tax was also considered.

City Manager Kennedy agreed that a reduction in the tax rate could be done, noting that he had been conservative in listing expected revenues.

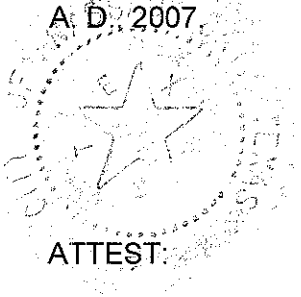
A lengthy discussion continued on ways to achieve a tax cut, with a two cent reduction being considered instead of one cent. However, because the City has not received its certified tax roll, it was felt there were too many unknowns at this time, and it was the consensus of Council, instead, to reduce the tax budget in the General Fund by \$76,000.00.

Other aspects of the proposed budget were discussed such as increased recycling opportunities for the residents, costly problems experienced with the blower at the sewer plant, and two budget amendments for electrical costs that will be required for the FY06/07 budget. It was said there was no need to go through the Capital Improvement Projects list item by item.

ADJOURNMENT

There being no other business, the meeting adjourned at 9:01 pm.

Minutes approved as submitted and/or corrected this 10 day of September
A. D. 2007.



ATTEST:

CITY OF NASSAU BAY, TEXAS

Donald C. Matter
Mayor

Pat Jones, TRMC
City Secretary