



**CITY OF LA MARQUE
SPECIAL MEETING OF CITY COUNCIL
MINUTES
of
September 20, 2021**

Minutes of Special City Council meeting held in the Council Chambers, 1109 Bayou Road, La Marque, Texas as well as via teleconference - ZOOM on Monday, September 20, 2021, beginning at 6:00 p.m.:

(1) CALL MEETING TO ORDER

Mayor Bell called the Special meeting to order at 6:08 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Kimberley Yancy	Councilmember District A
Joe Compian	Mayor-Pro-Tem District B
Michael Carlson	Councilmember District C
Casey Mc Auliffe	Councilmember District D

OTHER STAFF

Chaise Cary	Interim City Manager
Gus Knebel	Interim City Attorney
Kierra Nance	Deputy City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIANCE - Joseph E. Franklin (Neighborhood Missionary Baptist Church)

Pastor Franklin led the invocation and Councilmember Carlson

(4) CITIZENS PARTICIPATION (Limited to three minutes per person)

Re'Chard Loftis (Johnson St)- spoke to his displeasure with Code Enforcement. States that selective enforcement and lack of leadership has contributed to environmental burdens that plague the community. Community members also need to do their part to uplift our city and stop tearing down our city. Council needs to take action.

Robert Michetich (24 N Curlew)- Proposed a 52-53 cent tax rate instead of keeping the 55-cent rate. States that the only place for tax relief is at the local level.

- ** Interim City Attorney Knebel made an announcement that an additional Public Hearing relating to the tax rate would be held September 24, 2021.

(5) CONSENT AGENDA

- a. Discussion/possible action regarding Police, Fire, and Detention Officers Paid Quarantine Leave Policy to be established according with Texas House Bill 2073, signed into law on June 15, 2021 - Human Resources Coordinator P. Rees/Legal

- ** This item was pulled for discussion

Councilmember McAuliffe asked to define the parameters around the term “immediately” as written in the ordinance, to clarify the “Quarantine Date”, and other questions relating to the language of the policy. Mayor Pro Tem Compian discussed making changes to the “Refuse to test” item and retroactively apply the policy to LMPD during Winter Storm Uri. Mayor Bell questioned how this relates to Collective Bargaining negotiations and adding telecommunicators to the policy.

- ** Mayor Pro Tem Compian made a motion to adopt this policy as required by the state with the understanding that amendments will be made that are of local nature. Council member Yancy seconded the motion.

After a lengthy discussion it was decided that three major amendments would be made; adding telecommunicators and the telecommunication supervisor, clarifying the quarantine date to begin as the governing health authority orders so, and including that if the affected personnel refuses to test the benefits may be void however the personnel shall be subject to quarantine or the personnel may face disciplinary action.

- ** Councilmember Yancy made a motion to approve the three amendments made to the Police, Fire, and Detention Officers Paid Quarantine Leave Policy. Councilmember Carlson seconded the motion. **MOTION CARRIED UNANIMOUSLY**

(6) PUBLIC HEARING (S)

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0015**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2021 and ending September 30, 2022 appropriating money to a sinking fund to pay interest and principal due on the City’s indebtedness; and adopting the annual budget for the City of La Marque for 2021-22 fiscal year

Mayor Bell closed the Regular Meeting and opened the Public Hearing at 7:09 p.m.

There was no public participation.

- b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2021 tax year; providing for

apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid

There was no public participation.

- c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0017**, amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges

There was no public participation.

Mayor Bell closed the Public Hearing and reconvened the Regular Meeting at 9:03 p.m.

(7) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2021-0015**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2021 and ending September 30, 2022 appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque for 2021-22 fiscal year - Finance Director S. Kou **THIS IS THE SECOND AND FINAL READING**

There was no discussion.

****** Councilmember Yancy made a motion to adopt Ordinance No. **O-2021-0015**. Councilmember McAuliffe seconded the motion. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding adopting Ordinance No. **O-2021-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2021 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid - Finance Director S. Kou **THIS IS THE SECOND AND FINAL READING**

****** Councilmember Carlson made a motion to adopt Ordinance No. **O-2021-0016**. Councilmember McAuliffe seconded the motion. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE**

- c. Discussion/possible action regarding adopting Ordinance No. **O-2021-0017**, amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges - Finance Director S. Kou **THIS IS THE SECOND AND FINAL READING**

Mayor Bell reminded the public that per the contract there is an annual 3% increase.

****** Councilmember Carlson made a motion to approve adopting Ordinance No. **O-2021-0017**. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

(8) NEW BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2021-0018**, amending Section 8.8 of the City Code to allow for the keeping of hens; making various findings and providing for an effective date - Legal **THIS IS A FIRST READING**

After a very lengthy discussion among Council and the public many topics were discussed including fences, the importance of chicken runs, quantity of hens, allowed distance from property lines, crowing hens, registrations and inspections of chicken coops, and an ordinance review committee.

Mayor Pro-Tem Compian wanted to make it clear that this ordinance does not overrule deed restrictions, HOAs, or permit chickens in planned communities. Councilmember Yancy quoted some best practices found from ordinances of other “clean cities” and also wants council to stop tabling this issue. Mayor Bell requested a workshop on this ordinance to be held at 4 pm on October 14, 2021, to create a revised draft ordinance and compromise to get this issue resolved.

****** Mayor Pro Tem Compian made a motion to table this item. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding adopting Resolution No. **R-2021-0021**, authorizing the Interim City Manager to execute the Contract appointing Kerry Pettijohn as Municipal Court Judge - Mayor K. Bell

****** Councilmember Carlson made a motion to adopt Resolution No. **R-2021-0021**. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding the effectiveness of Request Tracker and the enforcement of City Codes and provide staff with direction

Code Compliance supervisor Kathleen Van Stavern walked Council through the code violation process. Council member Yancy stated that the City needs to do a better job of promoting the Request Tracker process as citizen complaints are often due to lack of knowledge. She also spoke to some troubled areas in the community. Council requested a zero-tolerance policy be implemented in Code Enforcement, stating that compassion and leniency should be given from a judge not necessarily our enforcement officers. Council requested data on the average response time from creation to close of a complaint generated through Request Tracker. Mayor Pro Tem Compian requested that Council be notified of the complaints in their respective districts. Council thanked Ms. Van Stavern and her team for their service to the city.

There was no action taken on this item.

- d. Discussion/possible action regarding the approval of replacing 14 vehicles in city fleet through Enterprise Fleet for fiscal year 2021-22

This item was pulled from the agenda.

- e. Discussion/possible action regarding adopting a Resolution supporting the Emancipation National Historic Trail and requesting a stop in La Marque, Texas as requested by the La Marque Economic Development Corporation

After a brief description of this item, give by Executive Director Alex Getty, there was no further discussion.

- ** Council member McAuliffe made a motion to adopt a Resolution supporting the Emancipation National Historic Trail and requesting a stop in La Marque, Texas as requested by the La Marque Economic Development Corporation.

- ** Council member Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

- f. Discussion/possible action regarding authorizing the Interim City Manager to execute a contract with the County of Galveston Commissioners' Court to provide fire protection services to unincorporated areas of Galveston County commencing September 14, 2021 and running through September 30, 2022, in return for payment in the amount of twenty two thousand five hundred dollars and no/100 (\$22,500.00)

- ** Council member Carlson made a motion to authorize the Interim City Manager to execute a contract with the County of Galveston Commissioners' Court to provide fire protection services to unincorporated areas of Galveston County commencing September 14, 2021 and running through September 30, 2022, in return for payment in the amount of twenty two thousand five hundred dollars.

- ** Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY**

- g. Discussion/possible action concerning returning to two (2) Council meetings per month

- ** Mayor Bell gave his reasoning for adding this item to the agenda, Council weighed in without a consensus. Council instructed Interim City Manager Cary to poll staff for their thoughts.

No action was taken on this item.

- h. Discussion/possible action regarding adopting Resolution No. **R-2021-0022**, nominating to appear on the ballot of the Board of Directors of the Galveston Central Appraisal District for two year terms, beginning January 1, 2022 through December 31, 2023

** Mayor Bell gave a brief description of the City of La Marque's historical position on making nominations for the Board, then made a motion to adopt Resolution No. **R-2021-0022**, nominating Matthew Doyle to appear on the ballot of the Board of Directors of the Galveston Central Appraisal District for a two-year term, beginning January 1, 2022 through December 31, 2023.

** Mayor Pro Tem Compian seconded the motion. **MOTION CARRIED UNANIMOUSLY**

i. Discussion/possible action regarding ratifying a Declaration of Disaster for the City of La Marque, Texas - including adopting an Emergency Ordinance prepared by – Interim City Attorney (O-2021-0018)

** Council member McAuliffe made a motion to ratify a Declaration of Disaster for the City of La Marque, Texas - including adopting an Emergency Ordinance prepared by – Interim City Attorney (O-2021-0018).

** Council member Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

(9) APPOINTMENTS

a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions

No appointments were made.

(10) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

There was no Executive Session.

(11) REQUESTS AND ANNOUNCEMENTS

Mayor presented Proclamations for Hispanic Heritage Month, Constitution Week and 911 Remembrance.

Council gave congratulations to Public Relations Specialist Colleen Martin for receiving the Texas City La Marque Chamber's Young Professionals Award.

Council member McAuliffe reminded the public of the ribbon cutting ceremony for Jimmy Hayley Elementary School on September 21st.

Council member Carlson thanked staff for the work done during the hurricane and all who participated in the 911 cleanup event.

Council member Yancy mentioned how beautiful the new Jimmy Hayley Elementary School is and spoke to her excitement for National Night Out on October 5th. She reminded everyone of Bayou Fest October 16th and also that "If we strive for perfection, we will reach excellence".

Mayor Pro Tem Compian thanked the residents of District B for their Patience during the power outage caused by the hurricane. He also thanked Public Works and the Salvation Army for assisting with food distribution.

Mayor Bell sent a thank you to the community for participating in the 911 Cleanup, shared a heartfelt congratulations to the Sarah Giles Family for their success in having the new La Marque Middle School named in her honor, and also thanked Mayor Pro Tem Compian and the Salvation Army for donating 300 meal boxes to residents after the hurricane. He took a moment to praise the Public Works Department for their commitment to the City, calling them “amazing”.

(12) ADJOURNMENT

Councilmember Carlson made a motion to adjourn. Council member Yancy seconded the motion. The motion passed unanimously.

Meeting was adjourned at 10:15 p.m.

This unofficial copy of the minutes from the above meeting are posted for convenience only. Executed or certified copies of the minutes can be requested by contacting the City Clerk
