



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
October 14, 2024**

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:02 p.m.

2. ROLL CALL

Present:

Keith Bell	Mayor
Joe Compian	Mayor Pro Tem/ District B
Kimberley Yancy	District A
Joseph Lowry	District C
James Ross	District D

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell gave the invocation and Councilmember Ross led the pledge.

4. PRESENTATIONS

4.I. Proclamation - Domestic Violence Awareness Month

Mayor Bell read into the records a proclamation regarding Domestic Violence Awareness Month.

4.II. Proclamation - Code Enforcement Appreciation Month

Mayor Bell presented the La Marque Code Compliance Division with a proclamation honoring the Code Enforcement Appreciation Month.

4.III. Introduction: Accelerant Detection K9 Kai

Mayor Bell and Fire Chief David Merryman introduced Accelerant Detection K9 Officer Kai to the public. Chief Merryman proudly announced that the City of La Marque is the first municipality in the history of Galveston County to have an Accelerant Detection K9.

5. CITIZENS PARTICIPATION

- Carolyn Small (1121 Prune) requested that City Events not be sponsored by council members as it could take away from the intent of the event. She also shared her concerns regarding an ethics complaint she filed regarding her child, that she feels was swept under the rug.
- Kathy Bernard (3230 Main) spoke regarding 1535 Newman Road stating that after paying impact fees, and having plans reviewed, they are now being told there is no capacity for sewer, which is causing undue hardship. She is currently waiting

on a response from the Public Works Director and has also filed a complaint with City Administration.

- Michael Selzer *-did not respond to calls to speak.*
- Robert Michetich (24 N Curlew) shared his support for the Citizen's Police Academy, stating that the state previously advised that the Memorandum of Understanding not be signed. He advised everyone to consider a document he sent earlier in the day.
- Harvey Freebird (declined to give address) shared his discontent with the city's policy on public criticism. He reiterated several expletives that he alleges were made by a Councilmember online as well as shared a multitude of posts made regarding his personal information. He also admonished the Councilmember referenced for exiting the room during his comments.
- Nicholas Roake (1535 Newman Rd) also shared concerns regarding the sewer capacity issue at his property.
- Tamera Smith (Benson) spoke to correct a statement made at the last meeting. There was a misstatement regarding the Parks Department but mistakenly identified the Parks Board.
- Carl Beard (5511 Evelyn) spoke regarding slanderous information being made regarding him from a news site that utilizes the city's address, Lowry News Network. He is asking for a meeting with the City Manager and Attorney to discuss a financial compensation package due to the harm it has caused his business.

6. PUBLIC HEARINGS

***Mayor Bell recessed the Regular Council meeting at 6:40 p.m.*

6.I. Ordinance No. O-2024-0019

There was no citizen's participation.

6.II. 2023 Impact Fee Study

There was no citizen's participation.

7. OLD BUSINESS

***Mayor Bell closed the Public Hearings and reconvened the Regular Meeting at 6:42 p.m.*

7.I. Ordinance No. O-2024-0019

Mayor Pro Tem Compian made a motion to approve Ordinance No. O-2024-0019. Councilmember Ross seconded. **MOTION CARRIED WITH 4 AYES AND 1 NAY (LOWRY).**

7.II. 2023 Impact Fee Study

Mayor Pro Tem Compian made a motion to approve the 2023 Impact Fee Study. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8. NEW BUSINESS

8.I. Ordinance No. O-2024-0021

Mayor Pro Tem Compian made a motion to approve Ordinance No. O-2024-0021. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

8.II. Intent to Apply for Loan through the TWDB under the CWSRF Program

City Manager Garcia gave a brief explanation of the timeline and intent of loan application.

Mayor Bell asked a series of follow up questions regarding the project and fiscal impact of this loan.

Utilities Director Sailer shared that it is an application for an \$11,000,000.00 loan, The overall cost would be \$700,000 per year, with payment of 25 cents per day per residence covering 7,500 taps. These payments will not begin until 2027. Mayor Pro Tem Compian shared his support for this item, reminding the community that the city has fallen short on the number of manholes that can be rehabilitated through a different funding source, with eligibility for rehabilitation of approximately 200 manholes out of 685. This funding would be able to assist in meeting the total rehabilitation goal.

Mayor Bell asked for clarity of a statement made regarding an application for \$10,000,000 through the same program last year.

Utilities Director Sailer clarified that in the previous year the same intent to apply was authorized, however, no loan agreement had been signed as that application is still in technical review.

Mayor Bell identified that in the beginning of the conversation he asked for a plan, but Director Sailer shared a concept.

Director Sailer shared that the project would be comprised of sewer system work that has already been engineered, but has not had the funding to complete.

Mayor Bell feels that this item should have been brought to council earlier in the process with a presentation.

Mayor Pro Tem Compian made a motion to move forward with the intent to apply for a loan through the TWDB under the CWSRF Program. Councilmember Yancy seconded. **MOTION CARRIED 4 AYES AND 1 NAY (BELL).**

Councilmember Yancy asked if Erikson in District C would be an area of interest for this funding.

Director Sailer shared that Erikson is among approximately 15 areas that are considered.

Councilmember Yancy requested an area of impact be added to the next agenda to show where these dollars would be spent if received.

8.III. Grant Application & RFP for a Grant Administrator

******Councilmember Ross exited the room at 7:03 p.m. and returned at 7:05 p.m.

Discussion ensued between council and City Manager Garcia regarding the need for an RFP for a Grant Administrator.

City Manager Garcia explained that the maximum grant award would not exceed \$750,000 and the scope of work would be based on one of three projects, including drainage at Wisteria, drainage at Westward, or Camp Circle. He noted that depending on the amount received for the grant, the city would be

responsible for a minimum of \$75,000 or up to a maximum of \$115,000. Councilmember Lowry questioned why a new grant administrator needs to be considered when the current administrator has a high success rate. It was clarified that federal funding requires an RFP. Mayor Pro Tem made a motion to approve the Grant Application and RFP for a Grant Administrator. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8.IV. Houston-Galveston Area Council FY 2025 Nominations

Councilmember Ross made a motion to appoint Mayor Pro Tem Compian as the city's representative to the Houston-Galveston Area Council. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

Mayor Pro Tem Compian made a motion to appoint Councilmember Yancy as the city's alternate. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8.V. Memorandum of Understanding

City Manager Garcia shared the process of the Memorandum of Understanding (MOU) process and the city's project from the direction of council for social service delivery with community serving organizations. He shared that the Citizen's Police Association was one of the organizations that the city first approached but did not originally move forward with the MOU.

Councilmember Yancy requested to see the Citizen's Police Academy Charter, as she shared that her membership renewal was denied, by her recollection, due to the fact that she participated in a protest. She wants to ensure that the city was adhering to the National Organization rules.

Mayor Pro Tem Compian questioned if, in most Memorandum of Understandings, the city council becomes honorary members.

City Attorney Knebel shared that, by his recollection, that has never been formally included in any Memorandum of Understanding.

Councilmember Lowry shared that he believes the incidents did not happen in the fashion that Councilmember Yancy has stated.

Councilmember Yancy adamantly denies the allegations made by Councilmember Lowry.

Police Chief Randal Aragon was asked to clarify statements that were made by residents that Citizen's Police Academy Alumni Associations do not sign Memorandum of Understandings. He cannot confirm that to be true.

Mayor Bell questioned what benefits would the Alumni Association receive by partnering with the City.

City Manager Garcia identified community partnership, event partnership, and potential grant funding.

Mayor Bell shared that he would support Councilmember Yancy's request for a charter if the city requires this provision for all Memorandum of Understandings the city has.

Councilmember Yancy reiterated her support for the organization but asked that the organization remain "honorable" and not stain it with unprofessionalism.

Councilmember Lowry then inquired why dues went unpaid for some time if Councilmember Yancy was so supportive.

NO ACTION WAS TAKEN.

8.VI. Purchasing

***Councilmember Yancy exited the room at 7:26 p.m.*

Councilmember Ross made a motion to authorize the purchase of Thermal Imagers from Metro Fire Apparatus Specialists, Inc. in the amount of \$29,532.00. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

8.VII. Purchasing

Mayor Pro Tem Compian made a motion to authorize the purchase of a LIFEPAK defibrillator system from Stryker in the amount of \$66,367.22. Councilmember Ross seconded. **MOTION CARRIED WITH 4 AYES AND 1 ABSENT (YANCY).**

8.VIII. Purchasing

***Councilmember Yancy returned at 7:27 p.m.*

Councilmember Ross made a motion to authorize the purchase of PowerLoad Power Cots from Stryker in the amount of \$130,644.95. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

8.IX. Cancellation of Meeting

Councilmember Ross made a motion to approve canceling the Regular City Council Meeting on November 11, 2024. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

8.X. Cancellation of Meeting

Councilmember Ross made a motion to approve canceling the Regular City Council Meeting on November 25, 2024. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

8.XI. Schedule Special Meeting

Councilmember Ross made a motion to approve scheduling a Special City Council Meeting on November 18, 2024. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

8.XII. 2025 Holiday Calendar

Mayor Pro Tem Compian made a motion to approve the 2025 Observed Holiday Calendar for the City of La Marque. Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

9. CITY MANAGER REPORT

9.I. Library Accreditation 2025

Mayor Pro Tem Compian announced that the Library received a Municipal Library Excellence Award at the Texas Municipal League.

9.II. Library Statistics August 2024

Item stood as submitted.

9.III. Monthly Crime Statistics August 2024

Item stood as submitted.

9.IV. Bid Opportunities

Item stood as submitted.

9.V. Items for the Good of the Order

City Manager Garcia reminded everyone of BayouFest in the upcoming weekend, a two day event including the commemoration of the All America City Award. He also announced the Trunk or Treat event on October 24th.

10. EXECUTIVE SESSION

***Mayor Bell recessed the Regular Meeting at 7:32 p.m.*

10.I. Section 551.074 (Personnel Matter)

10.II. Section 551.074 (Personnel Matter)

11. ACTIONS TAKEN FROM EXECUTIVE SESSION

***Mayor Bell closed the Executive Session and reconvened the meeting at 8:44 p.m.*

11.I. Section 551.074 (Personnel Matter)

The complaint was withdrawn.

11.II. Section 551.074 (Personnel Matter)

Mayor Bell indicated that there were two (2) complaints for council to address.

Mayor Pro Tem Compian made a motion to take no action on the first complaint.

Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

The second complaint was addressed by Councilmember Yancy, who read Section 2.04 of the City Charter into the record. She requested that the city obtain official records of Councilmember Lowry's criminal background so that the community can put this to rest.

Councilmember Lowry reiterated that he is not a convicted felon.

City Attorney Knebel asked that the council place this topic on the agenda for future discussion as the meeting is not noticed.

Councilmember Yancy made a motion to table this complaint until further direction is given at a future discussion. Councilmember Ross seconded. **MOTION CARRIED 4 AYES AND 1 NAY (LOWRY).**

12. REQUESTS & ANNOUNCEMENTS

Councilmember Lowry recognized Officer Welch for how he handled a situation he was apart of. He appreciated being treated as any other citizen would have been.

Councilmember Ross gave his thoughts regarding some statements made following the previous City Council meeting. He also shared his stipulations regarding supporting a forensic audit. He also spoke to his support of the VFW. He also read excerpts from a letter he received from the Economic Development Corporation regarding a franchise opportunity he missed out on due to the city's political turmoil.

Councilmember Yancy thanked the residents and community vendors for attending the District A Town Hall meeting. She also recognized the city for the Small Cities Public Safety Award received the previous week from the Texas Municipal League, as well as the City's Birthday and BayouFest.

Mayor Pro Tem Compian also recognized the Police Department for the Public Safety Award, the Library for their Library Excellence Award and the Public Works Department for being a finalist. He also encouraged everyone to attend BayouFest, and remember that there is a parking fee this year.

Councilmember Lowry shared he received a boo basket over the past week. One small act of kindness turned into around 150 other baskets appearing throughout the city. Mayor Bell also announced BayouFest for the upcoming weekend as well as Trunk or Treat on October 24th. He shared that he was asked to see the drainage on Newman Road, and asked for information regarding the clearing of that area. He also celebrated the police department's achievement. He feels that recognition does not mean perfection, but that the city is aware of the challenges and is taking action to solve them. He also celebrated the Safe City Initiative's recognition at the International City Manager's Association conference earlier in the month, as well as by the National Civic League leading the city to an All America City title. The city should be proud to be recognized on a state, federal, and international level. He announced that early voting begins soon and encouraged everyone to exercise their right.

City Manager Garcia shared that the city is been on a great run, and he will continue to do everything he can to keep the ship moving forward.

13. ADJOURNMENT

Councilmember Yancy made a motion to adjourn. Councilmember Ross seconded.

MOTION CARRIED UNANIMOUSLY.

*****Meeting was adjourned at 9:17 p.m.***