



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
September 9, 2024**

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:03 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 Pro Tem Compian gave the invocation and Councilmember James Ross led the pledge.

4. PRESENTATIONS

There were no presentations.

5. CITIZENS PARTICIPATION

Re'Chard Loftis (309 Johnson) spoke to the city's lack of attendance at the Public Works Conference.

Robert Michetich (24 N Curlew) applauded the city's decision to upgrade its financial software. He raised concern about the loss of records, specifically permits and construction documents, during FEMA interaction, and how this would affect a forensic audit. He also questioned the ethics policy procedure.

Allen Honish (2609 Meadow Ln) represented Blankets of Comfort Ministry as the Chief Financial Officer. He highlighted state law requiring a bag and blanket for each CPS-removed child. He encouraged the city and the Youth Advisory Council to support efforts to protect children and raise awareness of abuse.

Richard Holcomb (Magnolia Dr) reported poor maintenance of Jaycee Park and surrounding soccer field. He noted past quality landscaping and contractors. However, the park is now in unsafe conditions due to overgrown grass. He asked the City to hire another contractor to upkeep the field.

Clara Holcomb (Magnolia Dr) spoke about the City's inconsistent water billing due dates. In a 57-day span, she had three (3) water bills to pay. She suggested a fixed billing cycle, similar to Texas City. She expressed concern over potential late fees due to shifting dates. She reiterated the need for a forensic audit and "if there's nothing to hide, there shouldn't be a problem." The council should agree to do it and "settle

everything down in this town."

Pastor James Daniels (6809 Wood Street) spoke against the hostility amongst council, and his disapproval of public intimidation, especially toward women. He advocated for respectful leadership and community healing. He urged council to focus on progress and cooperation.

Lois Jones (2602 Meadow Lane) shared she is coming to Council with a "spirit of grace and a spirit of love" since she thinks La Marque needs that. She presented council with documents regarding allegations of targeted attacks by a council member, including calling her family "gangsters." She requested the city address harassment, ethics violations, and enact protections for all residents. She stressed her family's long-standing community contribution and civic engagement.

Serena Hoalman (Palm St) reaffirmed community support for a forensic audit. She noted a prior council agreement to define an audit scope. She urged follow-through to build trust and transparency.

Sherry Woodard (Cedar Dr) expressed her disappointment over racist acts and social media behavior by a council member. She commended Mayor Bell and certain council members for their restraint, and criticized those enabling or ignoring these divisive and harmful actions.

Carl Beard (*declined to share address*) shared that the last time he shared his address, he was sent a "pipe-bomb-like object" to his house due to his complaint about the validity of an election application. He shared that a sitting council member reached out to his job site to access his personal information and had been following him around town. He called for council censure and formal investigations of "terroristic" attacks.

James Osteen (2012 Jeridona) ***declined to speak***

Roger Vasquez (Merry Lane) expressed his concerns with the city's infrastructure. He described the discolored water and foul odor and requested the City to flush out fire hydrants to get clean water. He noted water pressure issues, stating that the water pressure at hotels is higher compared to his house in La Marque. He shared that the city roads need to be addressed, specifically behind A&A Machine Shop. He urged council to hold CenterPoint and Texas New Mexico Power accountable for the maintenance of overgrowth on power lines.

Mayor Bell provided a point of information that the city sent letters to CenterPoint and Texas New Mexico Power after the last council meeting requesting maintenance.

City Attorney Knebel shared that there is an item on the agenda to discuss the city's participation with the PUC (Public Utility Commission) regarding Texas New Mexico Power's resiliency plan.

6. PUBLIC HEARINGS

***Mayor Bell recessed the Regular Meeting and entered into Public Hearings at 6:44p.m.*

6.I. Ordinance No. O-2024-0010

There were no public comments.

6.II. Ordinance No. O-2024-0015

There were no public comments.

6.III. Ordinance No. O-2024-0016
There were no public comments.

6.IV. Ordinance No. O-2024-0017
There were no public comments.

6.V. Ordinance No. O-2024-0018
There were no public comments.

7. OLD BUSINESS

***Mayor Bell closed the Public Hearing and reopened the Regular Meeting at 6:45 p.m.*

7.I. Ordinance No. O-2024-0010
Mayor Pro Tem Compian made a motion to adopt the 2024 Water Conservation Plan. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

7.II. Ordinance No. O-2024-0015
Councilmember Ross made a motion to adopt Ordinance No. O-2024-0015. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

7.III. Ordinance No. O-2024-0016
THIS ITEM WAS TABLED.

7.IV. Ordinance No. O-2024-0017
THIS ITEM WAS TABLED.

7.V. Ordinance No. O-2024-0018
THIS ITEM WAS TABLED.

7.VI. Solid Waste Contract

City Manager Garcia gave a brief recap on prior discussions regarding a new contract, including keeping the current commercial rate and increasing the Waste Management fee by five percent (5%) per year as well as a ten percent (10%) franchise fee.

Councilmember Lowry shared his concerns regarding the city not bidding this contract out for the term. He is embarrassed as a Councilmember, sharing that the council is not being good stewards of the city's money.

Shanna Lopez, Waste Management, apologized and shared that she wished he had brought the concerns during her previous visits.

Councilmember Ross spoke of his concerns regarding the level of service received for bulk pickup.

Mayor Pro Tem Compian shared his observations regarding bulk pickup since Hurricane Beryl.

Ms. Lopez shared that there are some reasons that bulky pickup may not have been addressed.

After Councilmember Lowry shared additional concerns, City Attorney Knebel shared that the city is following legal requirements.

Mayor Bell followed that the "discussion has been exhausted and to ask questions only." Councilmember Ross asked clarifying questions to Mrs. Lopez regarding log

crushing in bulk pick-up.

Mayor Pro Tem made a motion to renew the contract for a 10% franchise fee with Waste Management. Councilmember Yancy seconded. **MOTION CARRIES WITH 3 AYES AND 2 NAYS (LOWRY/ROSS).**

7.VII. TML Board of Trustees Election

NO ACTION TAKEN.

8. NEW BUSINESS

8.I. Ordinance No. 2024-0019

Mayor Pro Tem Compian questioned if the ordinance imposed any additional costs or financial impact to homeowners. City Attorney Knebel shared that there are increases regarding new buildings, but he cannot speak about existing structures. Discussions regarding the time sensitivity of this item ensued.

THIS ITEM WAS TABLED.

8.II. Ordinance No. O-2024-0020

City Manager Garcia gave a brief presentation showing three (3) options regarding the city's sanitation rates.

Discussions regarding the accompanying contract and its terms ensued, accompanied by a brief discussion of rate increases.

Mayor Pro Tem Compian made a motion to maintain the residential rate increase of 3.5% and authorize a 10% franchise fee. Councilmember Lowry seconded.

Councilmember Ross questioned what will happen in three (3) years when the City begins to operate in the red.

Mayor Pro Tem Compian rebutted with the council will monitor and hopefully see commercial growth.

MOTION CARRIED UNANIMOUSLY.

8.III. Resolution No. R-2024-0046

Mayor Pro Tem Compian requested an explanation of what a substantial damage response plan is.

City Attorney Knebel explained that it is a plan for how the community will respond to substantial flood damage, equating to 50% or more, in areas of the city.

Mayor Pro Tem Compian questioned if the plan requires the city to expend any dollars for mitigation.

City Attorney Knebel was not aware that it did but would find out the information.

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0046.

Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

8.IV. Engineering Design Services

Councilmember Ross questioned if this includes underground review. He also questioned if the council would hold the businesses driving heavy equipment down this street responsible for the damage they cause to the road.

Councilmember Yancy felt that would need to be a question for another agenda, this is an item of need and the residents have been waiting for over two (2) years

for relief.

Councilmember Ross requested that if the city is going to put a permanent patch on the street, please check the underground first.

Mayor Bell requested that city manager bring a report in the next meeting regarding potential underground work needed on Jefferson.

Councilmember Yancy made a motion to approve an engineering design agreement with Adico, LLC for street paving improvements on Jefferson Drive.

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

8.V. Emergency Purchase of Pump for Lift Station Operations

Councilmember Ross made a motion to ratify the purchase of a replacement pump for Delany Cove Lift Station #22. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

8.VI. Galveston County Health District Water Quality Agreement

Utilities Director Rick Sailer clarified that this has nothing to do with drinking water, it is related to environmental and wastewater quality issues.

Councilmember Ross made a motion to approve the FY25 Water Quality Monitoring Agreement with Galveston County Health District. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

8.VII. Final Plat Application Of Trails at Woodhaven Lakes

Mayor Pro Tem Compian made a motion to approve the final plat application of Trails at Woodhaven Lakes Section 2. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8.VIII. RFP for Financial Software

***Councilmember Lowry exited the room at 7:39 p.m.*

Councilmember Ross made a motion to authorize the release of a Request for Proposal for new transparency software to support Finance/Accounting, Human Resources, Payroll, Utility Billing, Permits, Budgeting and Planning.

Councilmember Yancy seconded. **MOTION CARRIED WITH 4 AYES AND 1 ABSENT (LOWRY).**

8.IX. Lloyd Gosselink

***Councilmember Lowry returned to the room at 7:41 p.m.*

Councilmember Yancy made a motion to approve the intervention request by Lloyd Gosselink, Attorney at Law regarding Texas-New Mexico Power Company's Application for Approval of a System Resiliency Plan. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8.X. TML Region 14 Board Director Ballot

NO ACTION TAKEN.

9. CITY MANAGER REPORT

***Item 10.III was pulled for discussion*

9.I. July 2024 Monthly Crime Statistics

Stood as submitted.

9.II. Spring 2024 Survey Results - TAPS (Teen and Police Services) Program
stood as submitted.

9.III. Public Infrastructure Projects Update

Councilmember Lowry has been requesting updates regarding drainage monthly by council district, and asked for a meeting with Galveston County Drainage District 2.

City Manager Garcia rebutted that the department is working to divide by district and will report in this manner moving forward.

Councilmember Ross recognized the good work on manhole completion, but voiced concerns that there are large brass rings being left in citizens' yards.

Utilities Director Sailer spoke to the contractor and agreed it was "inappropriate" and would get that taken care of.

9.IV. Items for the Good of the Order

City Manager Garcia explained that there are two utility billing cycles, the first is on the second monday of each month and the other is on the fourth monday of each month. If that due date falls on a Monday, it would move to the next business date.

Mayor Bell suggested a video for the public to explain the dates.

Mayor Pro Tem Compian shared that he does not always get his bill, or sometimes receives it late due to delays in the post office.

10. EXECUTIVE SESSION

***Mayor Bell recessed the regular meeting and entered into Executive Session at 7:48 p.m.*

10.I. Section 551.071 (Consultation with Attorney)

10.II. Section 551.074 (Personnel Matters)

10.III. Section 551.074 (Personnel Matters)

11. ACTIONS TAKEN FROM EXECUTIVE SESSION

***Mayor Bell closed the Executive Session and reconvened the Regular Meeting at 9:41 p.m.*

11.I. Section 551.071 (Consultation with Attorney)

Mayor Pro Tem Compian made a motion to authorize City Attorney to be recipient of any legal correspondence regarding this matter. Councilmember Ross seconded.

MOTION CARRIED UNANIMOUSLY.

11.II. Section 551.074 (Personnel Matters)

No action taken.

11.III. Section 551.074 (Personnel Matters)

Councilmember Yancy made a motion to censure Councilmember Lowry regarding allegations made against Councilmember Yancy for stealing public funds for personal use, accusations for taking lavish trips, his calls for prison, allegations

of various organizations being tied to the Councilmember receiving city funds, and comments made towards a teenage employee. She shared that she will do her best to work together and move forward for the citizens of La Marque. Councilmember Lowry felt that slander is a "two-way street". He hoped that anyone on the dias who commits a crime would be sent to prison, including himself. He believes that the other allegations could be resolved through a forensic audit.

Mayor Pro Tem Compian thanked the council for the passionate exchange of ideas, and shared his disdain for executive sessions. His standard is what is set in the official space, not what he sees on social media. He only supports a motion for censure based on statements made during council meetings.

Mayor Bell shared that Councilmember Lowry asserts a right to freedom of speech, which affords him the right to not be jailed or harmed for his speech. However, it does not afford the right to make slanderous accusations, nor comments towards colleagues that are insulting. There are remedies and laws against libel, slander, and threats. He emphasized that this also goes for the entire council. No Councilmember has the freedom to threaten one another. The Council's only mechanism for remedy is a censure, which simply states that the council does not agree with the statements made by an elected or appointed official. The council spent over an hour discussing things that would not pave one street, or clear one ditch. The council has to find a pathway forward. The issue is not the disagreement with colleagues but how it is being said. The council has to find a way to work together and disagree without hostile rhetoric. The incident regarding Mrs. Smalls was unfortunate, and the council has to find a better way.

Mayor Bell asked City Attorney Knebel questions regarding the city's liability due to the comments made by a councilmember.

Councilmember Lowry clarified that the city was not in any liability due to his statements in relation to the Mrs. Smalls incident.

City Attorney Knebel shared that the statements made in the official capacity by the city could be brought into litigation regarding them. While he believes that the city could potentially "get out" of them, it would still cost money.

Councilmember Yancy amended her motion to call for censorship regarding statements made by Councilmember Lowry against Councilmember Yancy made from the dias.

***Councilmember Yancy withdrew her motion.*

Mayor Pro Tem Compian made a motion to censure regarding allegations of financial misconduct made at the previous council meeting. Councilmember Yancy seconded.

Councilmember Lowry played an excerpt from the previous Council meeting.

Mayor Bell shared that the residents have heard all the accusations made against all the councilmembers and voted for each member anyway. The Council needs to move forward.

MOTION CARRIES WITH 3 AYES AND 2 NAYS (LOWRY/ROSS).

12. REQUESTS & ANNOUNCEMENTS

Councilmember Ross shared that he voted against censure because a discussion regarding not slandering one another was held, and he believes that is more effective

than a censure. He spoke about a school bus traveling at high rates of speed. All events at the VFW were rescheduled for the week due to the tropical storm.

Councilmember Lowry declined requests and announcements.

Councilmember Yancy requested a council retreat in the spirit of reconciliation and rebuilding. She promoted National Night Out on October 1st, and District A will be holding a community fair and town hall. She thanked her family and the council, and shared that she apologized for anything that was said, done, or perceived not to be in the way of Christ, closing with the statement "let's get back to business council."

Mayor Pro Tem Compian was relieved that it appeared the worst of the storm would miss the city. He thanks God every day that he has the opportunity to engage with the staff and members of the council.

Mayor Bell shared his thoughts that the council's job is very difficult, as volunteers, and all the council should be commended for volunteering. He continued stating that sitting on the council takes a toll on each person as the government is at the center of much displeasure of the people. So he thanked every person that was elected to office. It was a tremendous feat that each person earned. He remembers the years of debates with previous councils, and he never felt that those councilmembers didn't respect and value each other's contributions and/or the people of La Marque. However, if the council doesn't find a way to work together and move the city forward, the people will find five (5) new people to take the seats. Leadership doesn't mean that everyone will come to you respectfully, it is being able to take that feedback in whatever form it comes. His prayer is that everyone moves forward to do what is best for the people of La Marque. There should not be an argument or fight at every turn. If so, the council is doing it wrong.

Emergency Management Coordinator Kyle Hunter gave an update on Tropical Storm Francine, which was fully formed and named during the council meeting, and had the potential to become a category 1 hurricane.

City Manager Garcia recognized the passing of staff member Brittany Richard, and announced a balloon release in her honor the following Thursday.

13. ADJOURNMENT

Councilmember Yancy made a motion to adjourn. Mayor Pro Tem Compian seconded.

MOTION CARRIED UNANIMOUSLY.

***Meeting was adjourned at 10:38 p.m.*