

MINUTES
PUBLIC HEARING/REGULAR
August 13, 2012

(1) CALL MEETING TO ORDER

Mayor Hocking called the meeting to order at 6 p.m.

(2) ROLL CALL

PRESENT:

Councilmember Brown

Councilmember Trube

Councilmember Osteen

Mayor Pro-Tem Bell

Mayor Hocking

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Bell led the Invocation and Mayor Hocking followed with the Pledge of Allegiance to the Flag.

(4) MINUTES

a. Public Hearing/Regular City Council Meeting, July 23, 2012

Councilmember Trube made a motion to approve the minutes of the Public Hearing/Regular City Council Meeting, July 23, 2012. Councilmember Osteen seconded the motion. The minutes were approved as written.

(5) CITIZEN'S PARTICIPATION

Comments from the Public (At this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). In compliance with Texas Open Meeting Act the City Council may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.

W. L. Bunch, 210 Byrd Street, addressed City Council regarding numerous business-type properties that he owns along Byrd Street which is near the "Highway Inn" Motel. Apparently, the Highway Inn is not being maintained and monitored by its owners and those leasing rooms at this motel are committing offenses (thefts, burglaries, vandalism) at business properties on Byrd Street. Mr. Byrd referenced a most recent spate of auto burglaries (from Byrd Street) that resulted in the arrest of numerous residents living at the motel. Mr. Byrd thanked Chief Aragon and the efforts of the Police Department for their police work on these offenses but wished to advise Council that this motel is indeed a serious threat to our community. After Mr. Bunch's presentation, Mayor Pro-Tem Bell asked Chief Aragon to advise Council on this issue. Chief Aragon said the area does have problems and added that strict Code Enforcement would assist in addressing the overall conditions of the area.

Teresa Tate, 5814 Woodrow, Texas City, TX 77591 addressed City Council regarding support to the Library. Ms. Tate is a teacher at Highland Elementary School in La Marque. She gave three reasons to keep the City Library: 1. Computers – Many families can't afford computers, Internet and Wi-Fi. When Kindergarten and early elementary students are exposed to computers, the benefits include improves motor/math skills, creativity and higher scores on standardized tests. 2. Research - Older students need the research from the library for assignments and to type their papers. Wal-Mart and Barnes and Noble are not options for her students. 3. Activities – The Preschool Story Hour and Summer Reading Program allow children to read a variety of books and improve their reading skills and keep children occupied. When you consider this item, please think about the community, but most of all think about the children

Dorothy Jeffcoat, 1407 Lamar addressed City Council regarding support to the Library. Ms. Jeffcoat understands the budget constraints but appreciates the fact the Council is trying to find extra funds for the library. A four day work week wouldn't work for it wouldn't save that much money regarding keeping the books dry and citizens going to other libraries. We have 48,000 people come through our library so should we expect other surrounding city libraries to do our responsibilities for our citizens and children. The library is doing a great



job and it is a jewel. If a child comes in and does a video game, they are also exposed some of the books and some of the programs that the library offers. Rumors and criticism are coming from citizens that don't use the library. Computers, Internet and Wi-Fi are necessary as Ms. Tate stated in today's world and many cannot afford these items. She said why she should spend \$100.00 a month for books when she can get them free at City library. This is the only enrichment program that we have for our children during the summer. She wanted to hear the librarian speak about the facts of the library after we are through.

Jo Ann Strueby, 202 Taft addressed City Council regarding support to the Library. Ms. Strueby said when they moved to La Marque in 1974, discovered La Marque had an academically high-rated school system, one good size grocery store, two banks, several churches (of various religions), and one small size library. The library is flourishing and is meeting the needs of the community. Now we are in 2012, a school system in trouble, no grocery stores, one bank, some church with attendance problems, but a Library that is flourishing. The community knows that all budget cuts should come from each department. Please get the straight facts before making a decision concerning the library. We need to keep our one jewel in La Marque.

H. L. Wells, 2801 Patricia Drive addressed City Council regarding support to the Library. Mr. Wells was a teacher in La Marque and libraries are sort of his hobby. He has visited many around the county and can't imagine living in a town without a library. He remembers when the Chionsini's appropriated funds for the City's library and it would be a shame to close the Library when a large sum of money was invested into this cause. The community supports the library with funds. He is the Treasurer of the Friends of the La Marque Public Library. The largest deposit from the Friends has been \$10,000 and the smallest has been \$10.00. The Industrial organizations all support the Library.

(6) PUBLIC HEARING

a. Public Hearing -Ordinance No. O-2012-1061 an Ordinance of the City Council of the City of La Marque, Texas, amending Chapter 26, Section 26-1 (1) Code of Ordinances of the City of La Marque, Texas, to designate the Emergency Management Coordinator
The public hearing opened at 6:19 p.m.
No citizens spoke during the public hearing.
The public hearing closed at 6:20 p.m.
Mayor Hocking deviated from the agenda to item Old Business 7a

b. Public Hearing – Ordinance No. O-2012- 1063 -a change to the zoning classification of certain tract of land described as ABST 2 SF Austin SUR S PT OF LOT 38 (38-1) Mainland Homesteads, in Galveston County, Texas, better described in "Appendix A", according to the map recorded in Volume 254-A, Page 50, in the Office of the County Clerk of Galveston County, Texas, from Public to General Commercial; amending the zoning map of the City adopted the 12th day of December 2005 by Ordinance No. 953
The public hearing opened at 6:31 p.m.
No citizens spoke during the public hearing.
The public hearing closed at 6:32 p.m.

Mayor Hocking deviated to Agenda Item 7b.

(7) OLD BUSINESS

a. Discussion/possible action-Ordinance No. O-2012-1061 an Ordinance of the City Council of the City of La Marque, Texas, amending Chapter 26, Section 26-1 (1) Code of Ordinances of the City of La Marque, Texas, to designate the Emergency Management Coordinator. This is the second reading.
Councilmember Osteen didn't have a problem with the City Manager appointing the Emergency Management Coordinator, but has concerns with the office space/location. It was Councilmember Osteen's understanding that an office had been located at the fire department, but her office was relocated at *her request*. City Manager Buttler informed Council that Ms. Pierce was given several options as a temporary measure.
Councilmember Trube said the problems were under the previous administration.



Mayor Pro-Tem Bell asked what was the outcome. City Manager Carol Buttler stated that an internal investigation was conducted upon her arrival as City Manager. City Attorney Ortego said this subject was not on the agenda; therefore could not be discussed.

Mayor Pro-Tem Bell made a motion to approve Ordinance No. O-2012-1061. Councilmember Brown seconded the motion. Motion passed unanimously.
Mayor Hocking deviated to Agenda item 6b.

b. Discussion/possible action- Ordinance No. O-2012-1063, an ordinance of the City Council of the City of La Marque, Texas changing the zoning classification of a tract of land described as ABST 2 SF AUSTIN SUR S PT OF LOT 38 (38-1) MAINLAND HOMESTEADS in Galveston County, Texas, better described in Exhibit "A", in Galveston County, Texas, according to the map recorded in Volume 254-A, Page 50 in the office of the County Clerk of Galveston County, Texas, from PUBLIC to GENERAL COMMERCIAL; amending the zoning map of the City adopted the 12th day of December 2005 by Ordinance No. 953. This is the second reading.

Councilmember Osteen made a motion to approve Ordinance No. O-2012-1063. Councilmember Trube seconded the motion. Motion passed unanimously.

(8) NEW BUSINESS

a. Discussion/possible action – Memorial for Jessica Cain – recommendation Parks Board Commission
Mayor Pro-Tem Bell made a motion to approve Memorial for Jessica Cain recommended by Parks Board. Councilmember Trube seconded the motion. Motion passed unanimously.

Mayor Hocking is absolutely pleased that the City of La Marque can be part of this Memorial.

b. Discussion- application(s) to City of La Marque Boards and Commissions –Resolution 1032

City Manager Buttler stated that Council was notified of vacancies available on the Boards/Commissions via the weekly memo. According to Resolution 1032, Section 3- Nomination and Appointments requires that City Council be given a required 30 day notice. This will be Council's notice as per the resolution. We have received applications for Planning & Zoning and Cemetery Board. This item will be placed on a future agenda for City Council action.

c. Discussion/possible action-city's continued participation with Galveston County Auto Crimes Task Force (GCACTF) grant for FY 2012/2013

Mayor Pro-Tem Bell made a motion to continue City's participation with Galveston County Auto Crimes Task Force (GCACTF) grant for FY 2012/2013. Councilmember Osteen seconded the motion. Motion passed unanimously.

Mayor Hocking deviated to agenda item 8e.

d. Presentation –proposed budget FY 2012-2013

City Manager Buttler stated that this the proposed budget based on comments and direction received from the work sessions. We will schedule a public hearing as required by charter. Interim Finance Director is out due to illness and has a consultant here this evening to assist us with the presentation.

City Manager Buttler gave a brief overview of the strategy for our theme this year is "Getting Back to the Basics". Realize we have concerns with the budget and regardless of what was presented in the spring, the City of La Marque is not broke and not in dire straits.

We do have concerns with the fund balance of the general fund and if the city would have enough funds to get through a disaster. City Manager Buttler thanked City Council for the two work sessions, discussing pros and cons of various approaches and direction to staff was to bring back a balanced budget with no tax increase. City Manager Buttler thanked City Council for the guidance they have given staff. Staff took the direction and tonight presents a balanced budget with no tax increase. We started with a deficit this year and City Manager Buttler stated that staff was told not to make any major purchases that were not essential to the performance of the



department. By looking at current revenues and additional revenues, we were able to balance the current budget. A resolution will be brought before Council to amend the current budget in near future.

We had to make painful decisions. It appears several revenues and line items were overestimated and expenses were underestimated. Mr. Wessels was asked to perform a forensic type audit to check every area of the budget. With his guidance, finance staff went over line by line item for every revenue source and to ensure that economic conditions were considered, checking all the financials, with utility funds we did we do have a balanced budget with some severe cuts.

Departments were asked to make cuts immediately before coming to Council. We have staffing needs and determined although we have needs, we eliminated some specific positions. One has been eliminated and dividing the duties among 4 of us. We also intend to eliminate several other positions.

Went back to staff to see other options:

Discussed reducing the city's contribution to dependent health care

Coffee – a luxury

Police gave up an additional staff member to assist

Fire department gave up 11% cut into overtime wages

Each department has offered additional cuts.

City Manager Buttler suggested we use this year as a transition year by making do with what we have – not asking for any capital projects. It is our goal not compromise services to the citizens.

Ms. Buttler introduced Susie Kou, financial advisor, who will assist us through this critical time due to the unexpected health issue with Mr. Carl Wessels.

City Manager Buttler informed Council that there are additional changes to that will take effect tomorrow morning. On page 11, this is the organizational chart that she is proposing which will facilitate city operations. The goal is have functions that work together and report to the appropriate people.

City Manager Buttler commended Mr. Morales and Ms. Koneman for their assistance in the preparation of the proposed budget.

Councilmember Osteen had a question regarding the proposed organizational chart and span of authority of the City Clerk. City Manager Buttler stated the City Clerk charges may only last for approximately a year during this transitional year.

City Manager Buttler also stated that Fire has been designated as Emergency Services to incorporate emergency management. Mayor Pro-Tem Bell talked about the 3 departments moved under the direction of the City Clerk. It is a violation of charter or state law. City Attorney Ortego stated that we have reviewed and is not a violation. Councilmember Osteen stated that we do not have authority to instruct the City Manager regarding issues involving personnel, but we have the authority to direct the City Clerk. City Manager Buttler stated with the budgetary issues, city clerk felt she could assist duties in conjunction with me. Council can control position of city clerk, but the other positions are controlled by City Manager.

Mayor Pro-Tem Bell stated I know that you have a plan to assign Chief Aragon as Assistant for Public Safety and Ms. Tedford as assistant in these areas. City Manager still maintains control over operations and should be put in place for clarification purposes for Council.

Councilmember Trube indicated that she has concerns due to that fact that past city clerks could not handle elections. With this chart, we are giving the current city clerk more responsibility, so this goes for the future. City Manager Buttler informed Council that the organizational chart may be modified at any time as needed. This is a transitional year and we believe that this route is the best way to get there.

There was discussion regarding Friends of the Library and other non-profit organization that work with the city. City Manager Buttler stated that we are not looking at the positions; we are looking at functions that require staff time and effort to coordinate. Councilmember Trube asked for clarification of the donations made to the Library.



Councilmember Osteen stated that City Manager Buttler is proposing tools that will facilitate operations and he does not have a problem with the organizational chart. Jake Morales and Tonee Koneman will take point in presenting the proposed budget for FY 2012-2013

Mr. Morales discussed the property taxes, assessed values, and tax rate. Ms. Kou assisted in the clarification of the calculations based on the certified tax roll. Mr. Morales discussed sales tax revenue and proposed changes health benefits for employees/dependents.

City Manager Buttler addressed the annuities. The city has been carrying the health insurance and supplemental annuities for retirees. Former Council passed an ordinance which funded a gap measure between retirement and social security eligibility that have reached 80 points. The health benefits were intended to fill until the retiree reached Medicare eligible (approximately 20 employees) and supplemental annuities (approximately 10 employees) until the employee reached social security eligibility. This is an item mentioned in the audit that is unfunded liability. These items are still incorporated into this proposed budget. The goal is to recommend eliminate annuities at the end of this year and the medical at the end of next year. It has been suggested that we have a workshop and discuss more in-depth. The consensus of City Council is to have workshop to discuss further. Further discussion on the proposed budget included streamlining positions and analyzing the positions to determine, if necessary, transitioning of personnel. There have been general funds in the proposed budget that have been separated and made into specific line item which will indicate revenues and expenditures for better tracking.

Instructed by Council to reduce the Library operations to \$150,000- based on these calculations we would only be able to operate with 2 full time employees. We looked at different options that would involve eliminating library staffing/programs. Presented is a recommendation that we feel would be in the best interest of the community. Councilmember Trube voiced concerns regarding donations to the Library through the Friends of the Library. City Manager Buttler informed City Council that City Attorney Ortego will provide a legal opinion on any 501c-3 who receives donations and use city facilities/supplies. There is a general consensus of the City Council to leave the Library open.

8:31 p.m. Break
8:45 p.m. Reconvened

Mayor Pro-Tem Bell asked Chief Weidman to reiterate the possible commitment of our firefighters to reduce the hours of overtime. The association had approached Chief Weidman with additional reductions which will be discussed during negotiations.

10:24 p.m. Break
10:34 p.m. Reconvened

There was discussion on the following items and City Council came to the consensus to call a Workshop to discuss further;

- Retiree Medical/Annuities
- Non-Profit Organizations (Friends of the Library)
- FEMA
- \$.46 cents for Brush Pickup.

e. Discussion/possible action – schedule a public hearing on proposed budget FY 2012-2013
Councilmember Trube made a motion to hold a public hearing on proposed budget FY 2012-2013 on August 27, 2012. Councilmember Osteen seconded the motion. Motion passed unanimously.

f. Discussion/possible action – maintain the current tax rate of .51436



Mayor Hocking made a motion to maintain the current tax rate of .51436. Councilmember Osteen seconded the motion. Motion passed unanimously.

g. Discussion/possible action – schedule public hearings on tax rate if needed
No action taken.

Mayor Hocking deviated back to agenda item 8d.

(9) CITY MANAGER REPORT – No Council Action Necessary

(10) REQUESTS AND ANNOUNCEMENTS

- a. Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests

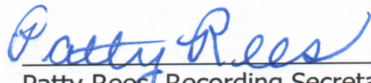
Councilmember Trube -thanked everyone for attending and staying through this long City Council meeting. She thanked Jennifer Pierce for informing the Council of the FEMA funds.

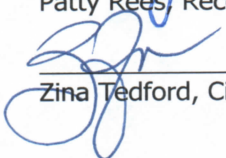
Councilmember Osteen -mentioned discussing the \$40,000 increase in Utility mail-outs and \$0.46 cents per water bill increase.

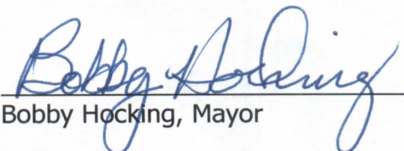
City Manager Buttler stated Council still has the option to change, add or delete from the proposed budget.

(11) ADJOURNMENT

Councilmember Trube made a motion to adjourn the meeting. Mayor Pro-Tem Bell seconded the motion. The meeting adjourned at 11:38 p.m.


Patty Rees, Recording Secretary


Zina Tedford, City Clerk


Bobby Hocking, Mayor