

LA MARQUE CITY COUNCIL
LA MARQUE CITY COUNCIL CHAMBERS
 1109-B BAYOU ROAD
 LA MARQUE, TEXAS 77568
REGULAR MEETING
CORRECTED
March 14, 2011
6:00 P.M.

The La Marque City Council met in a duly-called and announced Regular Meeting on March 14, 2011. Mayor Sam called the meeting to order at 6:00 p.m. The invocation was given by Pastor Bobby Hocking. The Mayor led the pledge to the U.S. Flag and Texas Flag.

017-2011 ROLL CALL –

Present: Mayor Geraldine Sam, Mayor Pro-Tem Keith Bell, Councilmember Connie Trube, City Attorney Ellis Ortego, City Manager Eric Gage and City Clerk Carolyn E. Anderson

Department Directors: Police-Chief Randall Aragon, Buildings-Ana Tims, Finance-Karen Cooper, Public Works-Nathan Epperson and Cyndi Efird-Public Works and Interim Fire Chief-Larry Damrell

018-2011 PRESENTATION –

World Water Day – Mayor Sam presented the proclamation declaring March 22, 2011 as World Water Day. Nathan Epperson and Cyndi Efird presented City Council with official World Water Day T-shirts. Mr. Gage stated that all City of La Marque staff will be allowed to wear their jeans and World Water Day at City Hall.

Fire Apparatus Selection Committee – Mr. Gage introduced Capt. Jason Schaffer, Engineer Steve Manis, Engineer John Brasher of the Fire Apparatus Selection Committee. He stated he is very proud of the work that the team has done and what they have accomplished. The team has traveled to Appleton, Wisconsin to tour the Pierce facility and Baton Rouge to tour the Ferrar site. Capt. Schaffer presented an overview to City Council of the research regarding the new fire apparatus, comparing line item by line item pros and cons of each piece of equipment. Capt. Schaffer and his team recommend to City Council the Pierce Ultimate Configuration. At the conclusion of Capt. Schaffer's presentation, Council asked for clarification on various differences in the specs between the two pieces of equipment. Capt. Schaffer addressed Mayor Pro-Tem Bell's concerns regarding maintenance on the two different pieces of equipment. Mayor Sam asked about the warranty. Capt. Schaffer introduced James Campbell of the Pierce facility.

019-2011 APPROVAL OF MINUTES -

Regular Meeting of February 28, 2011

Council Member Trube made a motion to approve the minutes. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

020-2011 REPORT FROM CITY MANAGER –

Council Member Trube made a motion to approve the City Manager's report. Mayor Pro-Tem Bell seconded the motion. During discussion of the City Manager's report, Mayor Sam expressed concerns about the drainage problem after the recent heavy rainstorm. Mr. Gage stated that it was an extremely heavy rainfall, but that the City is addressing those issues and concerns. Mayor Sam also asked about the break-ins on McArthur. Mayor Pro-Tem Bell addressed the Family Literacy program being placed on hold. Mr. Gage clarified Mayor Pro-Tem Bell's concerns about the Lone Star grant funds. Mr. Gage introduced Interim Fire Chief Larry Damrell. The Mayor called for the vote and the motion passed unanimously.

021-2011

FIRST READING OF ORDINANCES - (A Public Hearing Will Be Held)

Ordinance Number 1041 – An Ordinance of the City Council of the City of La Marque, Texas, changing the zoning classification of a tract of land containing 0.882 acres of surface only of all that part of block fifty (50), Subdivision "K" of the Cook & Stewart Subdivision out of the John D Moore League, a Subdivision in Galveston County, Texas, lying on the east side of the G.H. & H. railroad right-of-way, according to the map or plat thereof recorded in Volume 81, page 256, in the Office of the County Clerk of Galveston County, Texas, from Single Family Residential to General Commercial; amending the zoning map of the City adopted the 12th day of December 2005 by Ordinance Number 953.

Mayor Sam closed the regular meeting at 6:20 pm and opened the Public Hearing at 6:20 pm. Mayor Sam asked for comments from the public.

Mayor Pro-Tem Bell made a motion to approve the first reading of Ordinance Number 1041. The motion was seconded by Council Member Connie Trube. The Mayor called for a vote and the motion passed unanimously.

The regular meeting of City Council was re-opened at 6:23 p.m.

Ordinance Number 1042 - An Ordinance of the City Council of the City of La Marque, Texas, changing the zoning classification of a tract of land containing 1.0080 acres tract of land, being part of Block 4; Highland City, now known as La Marque, on the south side of the GH & HR R, in Galveston County, Texas, according to the map thereof recorded in Volume 68, page 543, in the Office of the County Clerk of Galveston, Texas, from Light Industrial to Restricted Commercial; Amending the Zoning Map of the City adopted on the 12th day of December 2005 by Ordinance Number 953.

Mayor Sam closed the regular meeting at 6:24 pm and opened the Public Hearing at 6:24 pm. Mayor Sam asked for comments from the public.

Council Member Connie Trube made a motion to approve the first reading of Ordinance Number 1042. Mayor Pro-Tem Bell seconded the motion. The Mayor called for a vote and the motion passed unanimously.

The regular meeting of City Council was re-opened at 6:25 p.m.

Ordinance Number 1043 - An Ordinance Council of the City of La Marque, Texas, changing the zoning classification of a tract of land containing 1.004 acres of land out of ABST 150 JD Moore SUR PT of Lot 4 (44) Highland City, La Marque, Galveston County, Texas, according to the plat recorded in Volume 1639 Page 563 of the records of Galveston County, Texas from Light Industrial to Restricted Commercial; amending the zoning map of the City adopted the 12th day of December 2005 by Ordinance Number 953.

Mayor Sam closed the regular meeting at 6:26 pm and opened the Public Hearing at 6:27 pm. Mayor Sam asked for comments from the public.

Council Member Connie Trube made a motion to approve the first reading of Ordinance Number 1043. Mayor Pro-Tem Bell seconded the motion. Mayor Pro-Tem asked Ms. Tims for a clarification of the term restricted commercial. After Ms. Tims clarified the term, Mayor Pro-Tem Bell asked Mr. Ortego if it would be a conflict of interest for his vote on this item. Mr. Ortego stated that it would not be a conflict. The Mayor called for a vote and the motion passed unanimously.

The regular meeting of City Council was re-opened at 6:27 p.m.

Ordinance Number 1044 - An Ordinance of the City Council of the City of La Marque, Texas, changing the zoning and classification of a tract of land containing 1.666 acres of land out of Lot 43 in Mainland Homesteads a subdivision of La Marque, Galveston County, Texas, according to the plat recorded in Volume 254-A, page 50 of the records of Galveston County, Texas, from Single Family Residential to General Commercial; amending the zoning map of the City adopted the 12th day of December 2005 by Ordinance 953.

Mayor Sam closed the regular meeting at 6:30 pm and opened the Public Hearing at 6:30 pm. Mayor Sam asked for comments from the public.

Council Member Connie Trube made a motion to approve the first reading of Ordinance Number 1044. Mayor Pro-Tem Bell seconded the motion. The Mayor called for a vote and the motion passed unanimously.

The regular meeting of City Council was re-opened at 6:30 p.m.

022-2011 · NEW BUSINESS

Consider, Discuss and Approve the Purchase and Financing of a Fire Apparatus.

Mr. Gage asked that the Mayor open for discussion the three items concerning the Fire Apparatus at one time. The Mayor read all three agenda items and called for a motion on Items A, B and C. Mayor Pro-Tem Bell made a motion to approve Items A, B and C under New Business. Council Member Trube seconded the motion. Mayor Pro-Tem Bell clarified the newspaper article that appeared in the Galveston Daily News this morning. The Mayor asked him to stay on point. Mayor Pro-Tem Bell asked that he be allowed to continue his explanation of his points. He thanked all of those who worked on the purchase of the fire truck. Council Member Trube stated that she is also impressed with the work that has been done by the Committee. Mayor Sam asked Mr. Gage for clarification on the trade-in. Mr. Gage clarified the terms of the financing and stated that the financed amount will be \$440,000. Mayor Pro-Tem Bell asked Mr. Ortego about his concerns about appraisals. Mr. Ortego asked for a clarification regarding how the terms of the lease would be written. Ms. Cooper stated that it is a lease-purchase. Mr. Ortego stated that the purchase could be tentatively approved, subject to his review of the lease-purchase agreement with the non-appropriation clause. The Mayor asked Ms. Cooper to clarify the methods and options of the lease-purchase agreement. The Mayor expressed her concern over the approval of the finance agreement. Mayor Pro-Tem Bell withdrew his original motion and Council Member Trube's second to the motion. The Mayor called for a restating of the motion. Mayor Pro-Tem Bell made a motion to approve the purchase and financing of a Fire Apparatus from Pierce in the amount of \$444,000 with the trade-in value of \$3,000 each of the currently-owned 1986 and 1976 Fire Apparatuses and that the financing be a lease-purchase option for five annual payments with Government Capital subject to the tentative approval of the non-appropriation document by Mr. Ortego and City Council at a later date. Council Member Trube seconded the motion. The motion passed unanimously.

Consider, Discuss and Approve the Trade-In of the 1986 Fire Apparatus with VIN #1FDYD8OU3GVA42681 in the Amount of \$3,000.

See Item A above.

Consider, Discuss and Approve the Trade-In of the 1976 Fire Apparatus With VIN#: C9OLVC42758 in the Amount of \$3,000.

See Item A above.

Consider, Discuss and Approve Resolution 1152 - a Resolution finding that the settlement agreement regarding CenterPoint Energy Entex's (CenterPoint's" or "Company's") cost of Service Adjustment ("COSA") filing; within the City should be approved; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of the resolution to the Company and Legal Counsel.

Mayor Pro-Tem Bell made a motion to approve Resolution 1152. Council Member Trube seconded the motion. The motion passed unanimously.

Consider, Discuss and Approve waiving all permit fees as well as water and tap fee normally imposed for construction at the residence to be located at 606 Hollingsworth.

Mayor Pro-Tem Bell made a motion to approve waiving the fees. Council Member Trube seconded the motion. The Mayor asked if anyone from Helping Heroes was present. The Council and the audience applauded Staff Sgt. Vaught's service to our Country. The motion passed unanimously.

Consider, Discuss and Approve the abandonment of an easement described at 20 foot of waterway adjacent to Lot 62 and Lot 42 within the Grebb Edition South of IH 45 and North of FM 1765.

Mayor Pro-Tem Bell made a motion to approve the abandonment as described with the abandonment of \$12,500. Mayor Sam asked for clarification of the \$500. Council Member Trube seconded the motion. Mr. Gage clarified the agenda item. Mayor Pro-Tem Bell added that he had visited the site with Mr. Osteen and Ms. Phillips for clarification on this agenda item. Council Member Trube asked that all utilities had been contacted. Ms. Tims addressed that all utilities had been contacted. Mayor Pro-Tem Bell asked Ms. Tims to address the issue of drainage at this location. Ms. Tims stated that the developer would absorb the cost of the retention. There being no further discussion, the motion passed unanimously.

023-2011

CITIZEN'S REQUEST FOR HEARING –

Comments from the Public: (At this time, any person with city related business who has signed up may speak to Council. 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.)

None.

024-2011

ANNOUNCEMENTS, COMMENTS AND REQUESTS FROM COUNCIL –

Councilmember Trube thanked all of the City department heads for being in attendance. She also thanked the patrol officers for their assistance on Main Street regarding the tanker trucks. Mayor Pro-Tem Bell thanked all of the City staff for their diligence and commitment

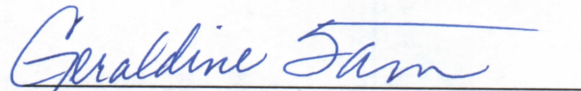
to their jobs during the last several months. Mayor Sam also thanked everyone for their attendance at the meeting.

Council Member Trube thanked everyone for their attendance. Mayor Pro-Tem Bell expressed his pride in the Fire Department. He commended Mr. Gage for his work with the Fire Department. He also thanked the Council for the open discussion and means of agreement. Mayor Sam thanked all in attendance. She congratulated the La Marque Basketball Team for going to State championships.

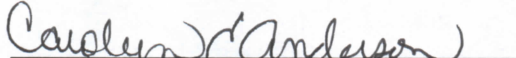
025-2011

ADJOURNMENT –

Councilmember Trube made a motion to adjourn the meeting. Mayor Sam asked that all pray for Japan and the City of La Marque and all of Galveston County. There being no further business to come before the Council, Council Member made a motion to adjourn, seconded by Mayor Pro-Tem Bell.


Geraldine Sam, Mayor

ATTEST:


Carolyn E. Anderson, City Clerk