



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Regular Minutes
January 12, 2015**

Minutes of the Regular Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, January 12, 2015 at 6:00 p.m. at 1109-B Bayou Road for purpose of considering the following agenda:

(1) Mayor Hocking called the meeting to order at 6:00 pm.

(2) ROLL CALL

Mayor Hocking
Mayor Pro-Tem Bell
Councilmember Lane
Councilmember Brown
Councilmember Trube

City Manager Buttler
City Attorney Ortego
City Clerk Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Bell dispensed the invocation and led the Pledge of Allegiance.

(4) MINUTES

a. City Council Special Meeting Minutes of December 15, 2014 and Regular Meeting Minutes of December 8, 2014.

** Councilmember Bell made a motion to approve the City Council Special Minutes of December 15, 2014 and Regular Meeting Minutes 8, 2014.

** Councilmember Lane seconded the motion. Councilmember Trube asked that the one change be reflected in the minutes of the Regular Meeting held on the 15th of December 2014.

MOTION CARRIED UNANIMOUSLY.

(5) PRESENTATION

a. Christmas Lighting Contest Winners – Clean City Chairman David Pennington recognized the 2014 Christmas Lighting Contest Winners as follows: 3rd place: Dennis Mc Colgin- 1415 Oak; 2nd Place: Johnnie & Cheryl Anders-2506 Houston Dr. N.; 1st Place: David Curnutt, 2810 Magnolia. There were 22 participants that entered into the contest this year.

b. Special Recognition of Cook Ford and De Montrond

Councilmember Brown will deliver the plaque to Cook Ford. 'Allen' of De Montrond excepted a plaque in recognition of the classic vehicles that were donated for the City's elected officials to ride in this year's 2014 Christmas Parade.

(6) CITIZEN'S PARTICIPATION



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1. Geraldine Sam wished a Happy Martin Luther King, Jr. Day. Spoke for Item F, the possibility of body cameras for the La Marque Police Officers and thanked the Police Chief and the department for being proactive and not reactive, and staying ahead of the game.
2. Clarence Caldwell, congratulated the new Police Chief. Expressed concerns with the following: 1) People driving of four wheelers in his neighborhood beginning around 4 p.m. - 10 p.m. and that this has been an ongoing issue, sometimes riding with small children on them. 2) Water leak on the City's side at his house, since before Thanksgiving, City has not completed the job cleaning of ditch and finished grading of the dirt. 3) Wild dogs running loose (pit bulls).

Mayor responded that now the new Police Chief is aware and the Public Works Director and City Manager will get back to him on these issues.

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2014-0024** amending City of La Marque Fiscal Year 2015 Budget to recognize funds received from Galveston County for mutual aid fire protection services and to appropriate certain fire expenditures per contract by increasing revenue account 48-3801-00-00 by \$22,500.00 and increasing appropriation to Fire expenditure account 48-3020-06-00 by \$22,500.00.

Mayor Hocking closed the Regular Meeting and called Public Hearing at 6:14 p.m.

No one spoke.

Mayor Hocking closed Public Hearing and reconvened the Regular Meeting at 6:14 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2014-0024** amending City of La Marque Fiscal Year 2015 Budget to recognize funds received from Galveston County for mutual aid fire protection services and to appropriate certain fire expenditures per contract by increasing revenue account 48-3801-00-00 by \$22,500.00 and increasing appropriation to Fire expenditure account 48-3020-06-00 by \$22,500.00. **THIS IS THE SECOND AND FINAL READING.**

****** Councilmember Trube made a motion to adopt Ordinance No. **O-2014-0024** amending City of La Marque Fiscal Year 2015 Budget to recognize funds received from Galveston County for mutual aid fire protection services and to appropriate certain fire expenditures per contract by increasing revenue account 48-3801-00-00 by \$22,500.00 and increasing appropriation to Fire expenditure account 48-3020-06-00 by \$22,500.00.

****** Councilmember Bell seconded. Councilmember Bell asked Chief Grimm what would be purchased with the monies and whether it was a one-time expenditure, to which Chief Grimm replied that it was primarily for health and wellness equipment (physical fitness) and that this is not a recurring expenditure. **MOTION CARRIED UNANIMOUSLY.**

(9) NEW BUSINESS



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a. Discussion/possible action regarding the recommendation of Planning and Zoning Commission to deny the request of a proposed rezone for a tract of land from R-1 Residential to C-1 (General Commercial). Property has an existing non-conforming use as C-1 General Commercial, Property described as lot 23 of La Marque Heights, a subdivision in Galveston County, Texas According to the map or plat thereof recorded in Volume 254A. Page 60, and transferred to Plat record 4, Map No. 73 A, of the map records of Galveston County Texas addresses as 3004 Taylor, La Marque, Galveston County, Texas **(If City Council decides to approve the Re-zone, this will be the FIRST READING OF ORDINANCE NO. O-2015-001.)**

Attorney Mark Stephens, the property owners' legal representative gave a brief overview of the property and business that is currently located at 3004 Taylor. This kind of business is where the fabrication of customized stonework takes place on-site, wherever the customer resides. It doesn't take place on Taylor. He addressed some issues that neighbors had in previous meetings of the Planning and Zoning Commission and are part of this agenda packet for review.

The homeowner bought the property in 1997, shortly thereafter, he placed a fence around the area and began developing the building in 2002. At that time there was no zoning in La Marque. "It is questionable whether zoning should have been superimposed at that time, since that use was consistent with the other uses up and down the adjacent roads. I am asking to you take the step and allow him to realize the full value of his property."

Councilmember Lane asked how many years the business had been at that location, if the owner had any plans to sell the property, operating hours, how many complaints had been received and also whether or not, if the business expanded, would it create more traffic in the area. To which the property owner, Mr. Neal responded that the business had been there since 2002, he didn't have any plans on selling the property, and the operating hours are 7:30 a.m. to 4:00 p.m. Monday through Friday. No complaints have been received. There may be very little if any change in traffic due to a proposed expansion.

Councilmember Bell asked if the property owner intends to expand the business, to which, the owner responded that a few years back, he brought plans in hopes to expand his business to City Hall and he was advised by previous employees that the property should be zoned commercial first.

Councilmember Bell said that the property is in his District and that the citizens surrounding the business have shown an overwhelming disapproval of and are in opposition of the zoning change.

"Did you have an opportunity to speak to anyone during the time that the Zoning Ordinance was shaped, to voice your concerns? There were some businesses zoned commercial based on their pre-existing history." The property owner said he was told that at that time, that there wouldn't be a problem.

Discussion followed concerning stipulations, conditions or limitations that could possibly be placed that will allow for a compromise and would give Mr. Neal an opportunity to have more



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time "exhaust all remedies", or come up with some type of an agreement for future constrictive uses at that location that would also satisfy the neighbors.

Councilmember Lane made a motion to table this item. Councilmember Trube seconded the motion. **MOTION CARRIED WITH A VOTE OF FOUR TO ONE**, with Councilmember Brown opposing.

Councilmember Bell asked that if a group/block meeting were to be called, that he would like for himself, the Mayor and a few others to be notified, so that they could have the opportunity to attend.

b. Discussion/possible action regarding the recommendation of the Planning and Zoning Commission to adopt Ordinance No. **O-2015-002**, abandonment of Tract two, a tract of land out of a portion of Prune Street 80 foot wide right of way lying South of Block 49 and that portion of Block 50 lying East of the G.H. & H. railroad right of way and North of Block 56, all in Subdivision "K" of the COOK AND STEWART SUBDIVISION, a subdivision in Galveston, County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas **THIS IS THE FIRST READING**

Councilmember Trube made a motion to approve the recommendation of the Planning and Zoning Commission to adopt Ordinance No. **O-2015-002**, abandonment of Tract two, a tract of land out of a portion of Prune Street 80 foot wide right of way lying South of Block 49 and that portion of Block 50 lying East of the G.H. & H. railroad right of way and North of Block 56, all in Subdivision "K" of the COOK AND STEWART SUBDIVISION, a subdivision in Galveston, County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas

Councilmember Brown seconded the motion. Councilmember Trube had an issue with the backup, referring to a set of minutes and the wording on the agenda. It was said to be on a different item. **MOTION CARRIED UNANIMOUSLY**.

c. Discussion/possible action regarding the recommendation of the Planning and Zoning Commission to approve the Preliminary Plat of Saltgrass Crossing Section 2, being 43.2 acres of land containing 154 lots (50 X120 Typ) and sixteen reserves in four blocks out of the Stephen F. Austin League A-2, City of La Marque, Galveston Texas, allowing a variance of Code Section 41-107 (e), for the dimension of the lots reduced from 60'X120' to 50' X 120' in size.

** Councilmember Trube made a motion to approve the recommendation of the Planning and Zoning Commission to approve the Preliminary Plat of Saltgrass Crossing Section 2, being 43.2 acres of land containing 154 lots (50 X120 Typ) and sixteen reserves in four blocks out of the Stephen F. Austin League A-2, City of La Marque, Galveston Texas, allowing a variance of Code Section 41-107 (e), for the dimension of the lots reduced from 60'X120' to 50' X 120' in size.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.



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d. Discussion/possible action regarding the adoption of Resolution No. **R-2015-001**, to approve the annexation of a 2.31 acre tract located in the Stephen F. Austin League No.4, Galveston County, Texas into Galveston County Municipal Utility District No. 68.

Councilmember Bell made a motion to adopt Resolution No. **R-2015-001**, to approve the annexation of a 2.31 acre tract located in the Stephen F. Austin League No.4, Galveston County, Texas into Galveston County Municipal Utility District No. 68.

Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

e. Discussion/possible action to authorize the Fire Department to proceed with disposition of surplus property.

** Councilmember Trube made a motion to authorize the Fire Department to proceed with disposition of surplus property.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

f. Discuss and provide direction to City Manager regarding the purchase of body cameras for the La Marque Police Officers.

Councilmember Bell had requested this item be placed on the agenda. Then said that body cameras are vital for the safety of the officers and the benefits of the citizens. Reported that after doing some research, and a study showed that a 60% reduction in force by officers and an 80% or more reduction in citizen complaints, when officers use body cameras. "I believe that these body cameras are effective in providing a level of transparency that is needed to strengthen our community relations and also provides "real-time" data and allows us to have job specific evaluations and targeted training for those officers." Then asked Police Chief to share some information on body cameras.

Chief King stated, "We appreciate your leadership on this issue and helping us bring to the forefront." This is a very hot button topic for the nation at this time. Long before it became a matter of national focus Lt. Jackson had begun significant research on this project. They will be seeking the best in value, type, cost, and quality and specifically designed for police work. Chief King shared some information including shoulder mounted types, and infra-red cameras. There is a two month wait in order to test some of these types. They will be looking at the Galveston County Sheriff Office and other surround cities as to what they will be looking into. Storage of data space was discussed briefly.

Lt. Jackson began, "There are many different types of body cameras available. The one that we feel is the best for La Marque is the TASER brand, shoulder mounted, "Axon Flex". The City would provide the storage of the data."

Chief King added, "Most of the commitments for grant money has been committed to some of the bigger cities stretched across the United States, but the City will be pursuing possibilities of grant monies available through H-GAC and through corporate assistance."



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It was the consent of City Council to direct staff to continue to move forward and further explore the body cameras.

Councilmember Trube asked that more than one vendor and or brand be brought before City Council so that there is more than one option to choose from.

Chief King, "Absolutely, that is why we would like to get the product study from the City of Houston. I would rather leverage the work that they have done and the field work, because they deploy them across two to three hundred officers compared to our few, so the reliability of the research goes up. You can also see the pricing scales."

Councilmember Bell added, "I don't want to linger. We can move quickly with the information so and provide it to the Council so we can act efficiently and effectively."

g. Discussion/possible action regarding accepting the Quarterly Investment Reports for the Third Quarter 2014.

** Councilmember Bell made a motion to accept the Quarterly Investment Reports for the Third Quarter 2014.

** Councilmember Trube seconded the motion.

Councilmember Trube referred to page 111, "I see, we have lost \$269,262.00. Is that correct?"

Finance Director Kou answered, "No, that is not a loss, which is a decrease of the portfolio, in other words we moved them to cash in the bank to pay the bills." **MOTION CARRIED UNANIMOUSLY.**

h. Discuss and provide direction to City Manager regarding a formal "Blight Reduction Program"

Mayor Hocking began by stating that this item was proposed by Mayor P, after a meeting of which the City Manager was asked to come up with some type of a plan or program.

Councilmember Bell states, "One of the continuing problems that we have in our city, is that some areas are plagued with blight. There are vacant lots, vacant properties, with dilapidated homes which are harmful to public safety. For various reasons individuals haven't been able to keep up with these properties. We have Code Enforcement Officers that continue to try to address these issues. We have seen a lot of issues over the past few years, which we face because we don't have a comprehensive plan for blight reduction. Because of that, we met with members of staff to try to come up with a plan that will not only address the issues with our Code Enforcement and also offer an opportunity for citizens to relocate back into the City of La Marque. One of the most successful plans was one that was found from New Orleans, Louisiana after Hurricane Katrina. We want a system that will track complaints via the internet, provide efficient service according to ordinances and State laws, to provide a way for people to buy back



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into our City. We are trying to speed up the process. Deliver more transparency and allow for our City to be resettled.”

Councilmember Lane stated, “I think a severe way to combat blight should be spear-headed by education. We have dozens of houses within our City that qualify for assistance from FEMA. But the citizens don’t have the no how to make that s come to pass. We should have some types of classes to information

Councilmember Trube asked, “What is in this plan that the City isn’t already doing with the people and the funds that we have available?”

Councilmember Bell continued, “In the way we handle complaints, there is no consistency in the chain of command in the order of receiving and tracking complaints. We want to be able to provide technology services to track complaints, enable citizens to turn in complaints from their homes, and reduce the turn-around time. We will need a system of alarm or alert to provide all parties involved access to this information.

For instance, if the time is up for the removing a junked vehicle, then the Police Department would be empowered to act and be able to call for a wrecker service. The EDC is also looking into providing ways to be able to buy back into the City.”

City Manage Buttler added, “This money is available until the end of this year, and is separate from those who want a complete home, from Hurricane Ike damage. This money would help with the demolishing and removable of the debris. This information is for your review and to provide feedback. The new website will have a work-order system. Using a formal Program will help in all areas. ”

i. Discussion of relocating Development Services to Public Works Building

Mayor Hocking said after speaking with members of City Council and each member of City Council speaking with the City Manager in individual discussions, it is that the move is not going to take place.

Councilmember Trube asked that in the future, if a move as this is contemplated, for it to first come through City Council.

(10) CITY MANAGER’S REPORT

Mayor Hocking deferred this item to the meeting of the 26th of January



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- (11) **REQUESTS AND ANNOUNCEMENTS** – Mayor Hocking announced the promotion of Lt. Kirk Jackson to the position of Assistant Police Chief. After introducing family and friends of Kirk Jackson, Ms. Jackson pinned on the Assistant Police Chief pin to Mr. Jackson.

Chief King stated, “One of the things as Chief of Police, that gives me great honor and pleasure, is that I get to honor a distinguished career. In no place is that more evident as with Kirk Jackson. He began his career with the La Marque Police Department in October of 1994. He served as a Patrol Officer, studied and promoted to Sergeant in February of 1999. In December 2001, he became a Lieutenant. He has served as the Interim Chief on two occasions. He is a graduate of the FBI National Academy. For an Assistant Chief, you must demonstrate the highest levels of professionalism and knowledge in your profession, and if anyone has earned that honor it is Assistant Chief Jackson.”

Councilmember Brown reminded all how the City has moved forward in 2014.

Councilmember Trube thanked all for attending and congratulated Mr. Jackson.

Councilmember Lane thanked Mr. Rumburg for he and his staff for their hard work through the Holidays and commended Mr. Brown on the sled.

Councilmember Bell congratulated Mr. Jackson and all of the City Departments on a productive 2014 and wished all a happy new year.

Mayor Hocking congratulated Mr. Jackson and thanked everyone for their questions, and thanks Council and citizens for attending

- (12) **EXECUTIVE SESSION** – there was no Executive Session

(13) **ADJOURNMENT**

Councilmember Bell made a motion to adjourn the meeting at 7:40 p.m. Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

Robin Eldridge, TRMC
City Clerk

Bobby Hocking, Mayor