



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Regular Meeting Minutes
April 27, 2015**

Minutes of the Regular Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, April 27, 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 - Absent - Excused
Councilmember Lane
Councilmember Brown
Councilmember Trube
City Manager Buttler
City Attorney Ortego
City Clerk Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hocking gave the invocation and led the Pledge of Allegiance

(4) MINUTES

- a. Minutes of Regular Meeting of April 13, 2015
Councilmember Trube made a motion to approve the Regular Meeting minutes held on April 13, 2015, Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(5) PRESENTATIONS

- a. Presentation – La Marque Clean City Commission – Anti-Litter Poster and Essay Contest Winners

Mayor Hocking presented Certificates to the winners in each age group and category.

- b. Clean City Report- David Pennington Chairman was not present to submit the report

(6) CITIZEN'S PARTICIPATION

1. Geraldine Sam, 2412 Stonewall, concerned about all the flooding within the last few days. This is just a rainy month, but coming into June if we have a hurricane, we will be in trouble. We have some serious concerns. She asked what were some of the plans that the City has put into place to help the City in regards to the flooding issues.



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City Manager Carol Buttler, spoke, "We do have a couple of things in motion right now. We are doing regular drainage clean-out, as citizens call in for their own particular addresses. As far as the outfall areas that flow into the District 2 drainage ditches, we have located two contractors that have agreed to help us, within a couple of weeks they will start and see how far that they will get with the money that we have allotted for them. It will take about a week, depending on the amount of work. We will continue to have staff do the individual citizen locations. She and the Public Services Director have been reviewing a Drainage Study that had been done years ago to identify some of the areas that were mentioned in that study and we work in the areas that flood the most and the most often."

2. Rick Harmon, 1202 Lake Road, La Marque, "I have noticed a sidewalk going in along Lake Road, it is a very crummy job, I don't know who is putting it in, but there are low spots, it holds water, it is crooked, it is sideways. I heard they are going to put a sidewalk down to the freeway, that's going to cost the City a hundred and something thousand dollars. I think it's a waste of money. People don't walk on the sidewalks we have, they walk in the streets. I think that money can be put to a better use, like redoing streets. That is all I have to say."
3. Bill Frey, 302 Sandy Bluff, Houston, Texas, "I would like to speak in regards to item 9a, just for the purpose of, I own approximately 180 acres that is adjacent to that property. I believe that property is accessed off of Fleming and Lawndale. I have had some preliminary meetings with staff, regarding the property and have tried to do some general planning. We had a general plan approved in 2005 for single-family development and we would like to proceed with that, with some modifications. But in that regard, I would very much like to receive consideration to maintain a single-family type development within the area. I am really concerned that an RV Park will not compliment the single family efforts."
4. Denise and Michael Lisse, two representatives and partners of the RV Park approached the podium. Mr. Lisse spoke, "We have already gone before the Planning and Zoning Commission, and was approved. We were concerned when the item was tabled. We are trying to establish a family owned business. I was noticing on your website the pretty pictures, and one of the things that would also be an added picture would be a nice development of an RV Park, that is secure and safe. The plan was and still is to build something that fits within the community and that can contribute to La Marques economic growth. The traffic that comes through with the building of new plants and things like that will provide a place for people to stay while they are building them. That was one of our focuses. At what point do we have the time to come before the City Council again.

Mayor Hocking told him when the next City Council meeting was scheduled and that he would be able to attend any public hearings also that may be scheduled.



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Ms. Lisse spoke, "In regards to the residential that was proposed in 2005, here it is 2015, and there are RV parks all up and down this coastal area. Because of the growth, and all of the cities are growing, the industrial industry is growing and these gentlemen are coming here to work and have no place to stay. Along with the amusement park coming in here on I-45, in that area, there is already storage area right up the street from this particular piece of land that we are looking at. We are looking at having something that is really nice, and not anything that a neighborhood would be ashamed of."

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding **Ordinance No. O-2015-006**, temporarily reducing the speed limits for a portion of the Southbound main lanes and the Northbound main lanes of Interstate 45.

Mayor Hocking closed the Regular Meeting at 6:27 p.m. and opened the Public Hearing.

Geraldine Sam asked for clarification for the reasoning behind the reduction of speed, along I-45, and it was said to be reduced during construction.

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:28 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2015-006**, temporarily reducing the speed limits for a portion of the Southbound main lanes and the Northbound main lanes of Interstate 45. **THIS IS THE SECOND AND FINAL READING.**

** Councilmember Trube made a motion to adopt Ordinance No. O-2015-006.

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

(9) NEW BUSINESS

- a. Discussion/possible regarding the recommendation of the Planning and Zoning Commissions to adopt Ordinance No. **O-2015-007**, a proposed rezone for tract of land from R-1 Residential to C-1 (General Commercial).addressed as: 5204 Fleming, La Marque, Texas, more described as: a Total of 23.083 acres, CAD ID R404968, Tract I (A), a 15.640 acre tract of land, more or less, out of Stephen F. Austin League Survey No. 4, Abstract No. 2, in Galveston County, Texas, and being the same property more fully described by metes and bounds on Exhibit "A" attached hereto and made part of hereof, and CAD ID R404969, Tract II (B), a 6.060 acre tract of land, more or less, out of the Stephen F. Austin League Survey No. 4, Abstract No. 2, in Galveston County, Texas, and being more fully described by metes and bounds on Exhibit "B" attached hereto and made part of hereof, in the name of John J. Bassett, the reason for the zoning change is to allow the construction of an RV Park and Storage Buildings on the properties. **THIS IS THE FIRST READING**



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- ** Councilmember Lane made a motion to table this item.
- ** Councilmember Brown seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding Ordinance No. **O-2015-008** granting a non-exclusive electric franchise to Texas New Mexico Power (TNMP) for a period of 15 years. **THIS IS THE FIRST READING.**

- ** Councilmember Lane made a motion to adopt Ordinance No. O-2015-008.
- ** Councilmember Brown seconded the motion.

It was discussed that the franchise ordinance be changed to reflect a term for a period of ten (10) years.

Councilmember Brown amended the first motion to change the ordinance franchise term to a period of ten (10) years. Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action regarding Resolution No. **R-2015-009**, the filing of an application with the Texas Department of Transportation for the 2015 Transportation Alternatives Program (TAP) Call for Projects for improvements to include pedestrian Connectivity.

- ** Councilmember Lane made a motion to adopt Resolution No. R-2015-009.
- ** Councilmember Brown seconded the motion.

Councilmember Lane clarified the cost to the City for the matching grant funds if the grant was to be awarded.

Councilmember Trube stated that she had a problem with deferring the cost to the next year's budget. Added that the City had more pressing issues in this City than sidewalks, such as ditches cleaned out to prevent flooding, culverts cleaned. "I just think this is bad timing."

City Manager stated "There is an option, which, although it is not a practice we would do very often, we could refuse the grant, if it was awarded. That is a Council decision. This is one of TX Dot's Pedestrian Connect projects."

Councilmember Lane stated, "From a financial standpoint, I think the timing is just off a little bit."

MOTION FAILED WITH A VOTE OF 3 to 1, with Trube, Hocking and Lane opposing.

- d. Discussion/possible action regarding the adoption of Resolution No. **R-2015-010** strongly opposing proposed House Bill (HB 4168), which could negatively impact Galveston



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Gulf Coast Area Water Authority customers.

Mayor Hocking began by stating, "Brazoria County has a representative. This Bill would essentially stack the Board with Brazoria folks. La Marque was one of the original "signers on" to the water that we have been paying for, for over forty years, I believe. These folks are wanting to come in and have a seat at the table, but haven't paid anything, so, I, serving as President of the Galveston County Mayors and Councilmembers Association, sent a strong signal to our representatives in Austin to vote "NO" on this Bill, and I would encourage our Council do the same."

** Councilmember Trube made a motion to adopt Resolution No. R-2015-010.

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

- e. Discussion/possible action regarding providing direction to the City Manager for action by the Police Department on the wearable body camera project.

Police Chief Kirk Jackson, "During my research of the body cameras, it has become very difficult once the interest in body cameras exploded, to keep up with the changing technology. Not only was the demand so high that I was having a hard time getting demo units, but it seemed like everyone was introducing new features, new products, changing their market, non-stop. One of the things that I absolutely have to have is a body camera that is going to stay "hot" for twelve hours. So far, I have only found two body cameras that will do that. They both offer cloud-based storage, but with that, you are looking at a long term project, which is anywhere from three to five years. I prefer not to have to worry about human error, in manually uploading the videos from the cameras. But, also in having a long-term contract with one of these companies, we are stuck during that period, even if newer technology is out."

Chief referred to the backup provided in the Council packets on the two options of body cameras. Then recommended the shorter-term, so that there are body cameras out there, and the City is not locked into something long-term, when a newer version comes out.

** Councilmember Lane made a motion to direct City Manager to allow Chief Jackson to move forward with Option One for this project. Councilmember Brown seconded the motion.

Councilmember Trube asked, "Why such a need to hurry into this?"

Chief Jackson stated, "Look at what is going on nationwide, I don't want something to happen and the City run the risk of not having the answers."

Councilmember Trube then asked, "Have you sought any grants or contacted other organizations that could help fund this. Have you checked with Crime Stoppers? Is there a guarantee that if an officer turns on the camera, they will not turn it off, and how do we



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get around this? I know, no one is perfect and I don't know how you would prevent this."

Chief Jackson replied, "I have reached out and found no grants, and I haven't checked with Crime Stoppers, because this is a bigger project than what they can provide for. You prevent this from occurring by not having those individuals in your organization to begin with and having a defined policy in place. I know that those individuals are not in this organization. A policy in place that will clearly define what is expected of the Officer and the Department in using these technologies is needed."

The possibility of having a budget amendment was discussed, since the events that have led most of the nation into looking into body cameras for Police Officers came up after the last budget was adopted. Sometimes for the safety and accountability for the citizens for this type of technology to be explored, it is necessary to amend a budget.

MOTION CARRIED WITH A VOTE OF 3 TO 1, with Councilmember Trube voting in opposition.

- f. Presentation/discussion regarding the City's new web site and phone application.

Information Technician Kyle Hunter began by showing a presentation of the City's Website, since the year 2000. "After the meeting tonight, we will begin going live with the new website, which could take twenty-four to forty – eight hours". He then explained the the new website features; a video tour of La Marque; online payments for water bills and municipal court fines; Notify Me feature, to allow the public to subscribe to different sections of the website; Report a Concern is a new feature to allow a citizen to commend an employee, report a pothole or any other concern, which will be immediately sent to the supervisor and also allows to track the progress of their concerns; How do I; Employment; We tried to make it as easy as possible for all of the citizens to utilize." Then continued explaining the new features of the new website and explained how to maneuver through the website. We are trying to get to the virtual City Hall as much as possible. Also the new phone application was featured and explained.

Mayor Hocking reported that there were free mouse pads for all at the back of the Council Chambers and invited all to grab one on their way out after the meeting.

- g. Discussion/possible action regarding the intent to impose a Temporary Moratorium on accepting applications, reviewing plans, and granting of permits for Recreational Vehicle (RV) Parks in the City of La Marque and provide direction to the City Manager.

Mayor Hocking spoke, "I would propose a motion to hold the required number of Public Hearings and receive further information from our City Attorney on this process. We have had several applications for RV Parks within the City and we need to be able to have the the appropriate things in place to address these."



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** Councilmember Lane made the motion and Councilmember Brown seconded the motion.
MOTION CARRIED UNANIMOUSLY.

(10) CITY MANAGER'S REPORT

- **Development Services**
- **Judicial**
- **Police/EOC Department**
- **Fire/EMS Department**
- **Connect Transit**
- **Public Services**
- **Animal Services**
- **Administration**

Councilmember Trube referred to page 95, stated that it was good to hear that the Fire Department will begin taking notice the structures that don't have visible addresses. Commended the Fire Department of a recent unannounced inspection from the State Department of Health and Human Services and its findings of no deficiencies or violations. Page 97, wanted to make sure that a street light that is out be turned in for the Taylor Circle, page 107, code enforcement citations for the month of March, it was explained that they were out on training during this time period; page 135, monthly totals of the water and sewer maintenance report were off by seven.

(11) EXECUTIVE SESSION

There was no an Executive Session

(12) REQUESTS AND ANNOUNCEMENTS

Councilmember Trube thanked all for coming out and also voting today, with today being the first day of early voting. She was the only candidate that was in front of City Hall for the entire day and planned on continuing each day of early voting and on Election Day.

Councilmember Lane thanked all for coming out and announced the La Marque is having its first "Lemonade Day" participation.

Mayor Hocking thanked the City Council for their time at the Workshop conducted earlier. Thanked all of the students, teachers and parents that participated in the annual poster and essay contest, congratulated the winners again. La Marque is participating in the 150 anniversary of Juneteenth, by advertising on t-shirts.

At his time, the Mayor was addressed by two members of the audience that wished to have their three minutes under the Citizens Participation. (4)

(13) ADJOURNMENT

Councilmember Trube made a motion for adjournment at 7:22 p.m. Councilmember Lane seconded.



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Robin Eldridge

Robin Eldridge, TRMC
City Clerk

Bobby Hocking

Bobby Hocking, Mayor

**CITIZENS REQUEST TO
SPEAK BEFORE COUNCIL**

In ordered to be heard, this form must be completed and returned to the City Clerk five (5) minutes prior to the start of the meeting.

Date of Meeting:	4-27-15
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Citizens who wish to address the City Council about items on the agenda which are scheduled for Council action will have **three (3) minutes** to express their positions. Please indicate below the agenda item number on which you wish to comment.

Council Agenda Item Number:	floodin ^g
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Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

Subject on which person wishes to speak:
floodin ^g

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

Name:	Geraldine Sam
Address:	2412 Stonewall
Phone Number:	La Marque, TX 77568

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	

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Council Agenda Item Number:	92
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Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

Subject on which person wishes to speak:

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

Name:	BUCK HAKMAN
Address:	1202 Lake
Phone Number:	409 935-6045

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	

CITIZENS REQUEST TO

SPEAK BEFORE COUNCIL

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Council Agenda Item Number:	22 9 A
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Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

Subject on which person wishes to speak:	RV Park - ZONE CHANGE

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

Name:	Bill Frey
Address:	P.O. Box 941179
Phone Number:	HOUSTON TX 77094

If speaking on behalf of an organization:

Name of Organization:	FREY DEVELOPMENT COS. INC.
Speaker's Official Capacity:	OWNER